UNIVERSITY OF PENNSYLVANIA

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# CERTAIN IMPORTANT DOMESTIC POLICIES OF WOODROW WILSON

PAUL McKOWN

A THESIS

IN POLITICAL SCIENCE

PRESENTED TO THE FACULTY OF THE GRADUATE SCHOOL IN
PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR
THE DEGREE OF DOCTOR OF PHILOSOPHY

PHILADELPHIA
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# INTRODUCTION

It is not easy to interpret a man who has been forced by circumstances to play a leading part, almost single-handed, in a period of American History as critical as that between 1913 and 1921. Such a man was an actor in a world situation of unparalleled importance and was heir to a domestic situation in which a rift in the Republican party had for two years caused virtual stagnation in legislation. The open revolt of "insurgent" Republicans in 1910, coupled with the loss of the House to the Democrats, left a Republican President and Senate practically helpless.

Woodrow Wilson caught the spirit and political significance of the progressive ideas of Bryan and Roosevelt, but he interpreted these ideas in his own peculiarly characteristic way. Elected by the votes of Progressive Republicans he undertook the leadership of the nation, at the same time eager to remain true to the principles of his own party. He thought in his first administration in terms of the whole of the American people and not within the limits of party lines. When he called upon the country to give him a Democratic Congress to carry through his program of world leadership he displayed a disappointing partisanship which made his chance of future success impossible.

Woodrow Wilson was a genuine stalwart American of the type of Abraham Lincoln and Grover Cleveland, and in his desire to dominate of the type of Andrew Jackson. His supreme doctrine in politics was leadership. Without conceit or thought of self-advancement he led the country confident in his ability to interpret the spirit and genius of the American people. He held that when a leader had ceased to lead, or the people to follow him, he should step down and out of the picture. This he demonstrated in his own political career when he was no longer able through ill health to carry the burden. Apparently he never lost his grasp of public affairs, and he remained the able counselor, true to his faith and ideals.

Wilson may, as he himself said, have had a single-track mind. But if this be true his contributions in the fields of politics and literature are surprisingly outstanding.

So much has been written on the achievements of Woodrow Wilson in foreign affairs that it is no part of this study to attempt to add anything to that side of the story. Some of his important domestic policies, i. e., his banking and trust legislation, have been studied by others. His conservation policy has remained practically untouched; also his legislative policy so far as he exercised it through his many vetoes. The purpose of this dissertation is to recount, with historic fidelity, certain other of his domestic policies, i. e., Prohibition, Woman Suffrage, Conservation of Natural Resources, National Defense, Tariff, Labor and his Legislative Leadership exercised both positively and negatively. It appears that these policies have been only partially examined by others up to the close of the World War. The following is a systematic treatment of these domestic policies during Wilson's administrations and is a detailed study, the first I believe, of the post-war period from adequate source material.

Herein is shown:

(1) That Wilson was originally in some of his domestic policies, i. e., Prohibition and Woman Suffrage, a theoretical idealist, but that he rapidly developed under the force of the circumstances into a realist.
(2) That as regards National Defense and the Tariff he personally inclined to uphold the traditional views of the Democratic party and modified them only when forced by the necessity of the times.
(3) That in his Conservation policy he undertook to open up resources in small areas to individuals and corporations, leaving the government owner of the lands.
(4) That, though opposed on general principles to recognizing distinct classes in the population, Wilson undertook to advance the interests of Labor by statutes, but that many of these statutes fell short of his expectations through legislative, judicial and administrative interpretation. His demand for industrial democracy after the war and his refusal to accept immigration restriction was in line with his general humanitarian attitude as above class interests.

(5) That Wilson undertook to exercise Legislative Leadership positively as well as negatively; that in his exercise of the veto power he made extensive use of the power of "guidance" and "restraint".

The writer wishes to acknowledge a debt of appreciation to Professor James Curtis Ballagh of the University of Pennsylvania under whose direction this dissertation was written.

# I

## Prohibition

The beginning of the prohibition movement in this country is usually dated from the publication of an essay by Dr. Benjamin Rush of Philadelphia in 1785, on "The Effects of Ardent Spirits upon the Human Mind and Body."[1] One hundred and thirty-four years were to elapse before the Eighteenth Amendment was made a part of the federal constitution.

The first stage in the movement was directed towards moderation in the use of "ardent" spirits, with the result that the consumption of wine and beer doubled between 1826 and 1836, the population increasing upwards of 25 per cent during the same period. To close up this weak spot in the temperance armor, a "total abstinence" pledge was adopted by a temperance convention. In this pledge a weakness was also apparent: It was only an appeal to moral suasion. Leaders of the movement agreed that it would be better to remove temptation from the man than the man from temptation. Hence the introduction of a "No License" movement which gained wide support, particularly in the eastern States.[2] A similar legal restriction, the "Civil Damage Act", sought to discourage the rumseller by making him liable for damages from the evil effects of his traffic. These two legal limitations led to the State-wide prohibition movement during the fifties. From 1851 to 1855 thirteen States enacted laws prohibiting the sale of liquor.[3] Yet the States thus won were not permanently won. Ten were backsliders. It was not until the eighties that another State was added to the State-wide prohibition column. Only nine had been gained by the

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[1] For a general account of prohibition in the United States see Colvin, D. L. *Prohibition in the United States;* Cherrington, E. H., *The Evolution of Prohibition in the United States.*

[2] The "No-License" movement gave the people in communities, counties and States the right to vote on the question of granting licenses. Colvin, *op. cit.*, 24–25.

[3] Maine, Minn., R. I., Mass., Vt., Mich., Conn., Ind., Del., Iowa, Neb., N. Y., and N. H.

time Wilson came to the Presidency.[4] Progress in this direction was rapid after the outbreak of the World War, thirty-four States having adopted prohibition by the time the Eighteenth Amendment was ratified.

Parallel with the movement for State adoption, a National Prohibition Party was organized in 1872, and has functioned with small success ever since. This party advocated "effective legal prohibition, by both State and national legislation", and the extension of suffrage to women.[5] Its failure to organize a large following to outlaw the liquor traffic disappointed many of its supporters who believed that its tactics should be changed. This resulted in the birth of the Anti-Saloon League in 1893.[6] The Prohibition Party urged temperance followers to forsake the old parties and support its ticket. The Anti-Saloon League, on the other hand, allowed temperance advocates to remain in their old parties, but urged support for "good men"—men opposed to the saloon—in such parties. The former was partisan in its tactics; the latter non-partisan. It was chiefly this League and the Women's Christian Temperance Union which finally brought about the acceptance of the Eighteenth Amendment by Congress and the States.

The liquor question in 1912, as in previous campaigns, was politically "loaded". Hence neither of the old parties had the courage to devote space to it in their platforms.[7] Wilson's stand was well known. He considered the question a moral and social issue. But there is reason to believe that he viewed it more from the standpoint of a specialist on government, a matter to be determined by the people locally, than as a moralist.

While governor of New Jersey, Wilson stated his position on prohibition in a letter to Reverend Shannon, head of the New Jersey Anti-Saloon League, in May, 1911. He wrote: "I am in favor of local option. Every self-governing community . . . should have the right to control the matter of the regulation or

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[4] Maine, Kan., N. D., Ga., Okla., Miss., N. C., Tenn., and W. Va. Colvin, *op. cit.*, 435.

[5] Porter, K. H., *National Party Platforms*, 78–81.

[6] Cherrington, E. H., *The Evolution of Prohibition in the United States of America*, 249.

[7] Porter, *op. cit.*, 320–34; 351–61.

withholding of licenses."[8] He added that the "Questions involved are social and moral and are not susceptible of being made parts of a party program" either within a State or nationally. Four years later after he had had two years' experience in the White House, his position was unchanged. In a letter to the editor of the *Louisville Times*, who inquired about his stand on the liquor question, he wrote: "My so-called Shannon letter precisely defines my position . . . not only as it was when I wrote the letter but as it is now."[9] He added that he could not speak of the advisability of prohibition in any State where he was not familiar with conditions.

The Drys were insistent in their demands upon Congress during Wilson's first term. An Anti-Saloon group presented a petition at the Capitol in 1913 for a constitutional amendment. The following year an amendment—in response to the petition—failed to secure the two-thirds vote in the House necessary to submit it to the States.[10] Politicians then ingeniously linked the politically embarrassing prohibition and woman suffrage amendments in the House Judiciary Committee. They were aware that the Southern members of the Committee, favorable to prohibition, were opposed to woman suffrage on account of the negro women. There is no evidence to show that Wilson sought the separation of the two amendments, and their separate submission to the House. His attitude was one of neutrality. A prohibition amendment received a separate committee vote in 1916, and was brought before the House where it languished temporarily amidst a multitude of issues raised by the war.[11]

The Senate had not been as energetic as the House in pressing for action on a federal amendment. As a test vote to determine the direction of sentiment, this body tied on the question of

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[8] *Cong. Rec.*, 63 Cong. 3 Ses., vol. 52, 1690.

[9] N. Y. *Times*, May 19, 1915.

[10] N. Y. *Times*, Dec. 11, 1913; Dec. 23, 1914. Representative Underwood opposed the amendment; there is no evidence to show that he was the administration spokesman in this case, as in the case of the tariff bill. He said: "This is not a moral issue . . . We are here today to consider a proposal whether certain police regulations should be turned over to the federal government instead of being allowed to remain in the governments of the various States." *Ibid.*, Dec. 23, 1914.

[11] *Ibid.*, Dec. 15, 1916.

prohibition for the District of Columbia.[12] A bill was passed shortly afterwards and signed by the President making the District of Columbia prohibition territory after November 1, 1917. In a Post Office appropriation bill the Senate showed its prohibition leanings by strengthening the Webb-Kenyon Act, which had been passed over Taft's veto. This Act made it unlawful to ship liquor into a State where the liquor was to be used in violation of the State laws, but it provided no penalty for transgressors. The new law, known as the "Bone Dry" amendment, fixed a penalty and prohibited the use of the mails to those advertising liquor wares in prohibition States.[13] It is interesting to point out here that this law foreshadowed the position on prohibition taken by Wilson in 1924. Prior to the passage of the "Bone Dry" amendment, certain States by ballot prohibited the sale of liquor within their borders. The federal government undertook to aid them in maintaining their aridity through its control over interstate commerce and the mails. The new law fell within Wilson's idea of State or local control of liquor.

Alaska in 1916 and Porto Rico in 1917 declared for prohibition by popular votes, and Congress ratified the popular will in law by passing statutory enactments.[14]

During the war all efforts, both at home and abroad, were directed toward bringing an end to the conflict. Questions of a social and moral nature arose which proved difficult for the Allies, as well as for us. The liquor issue was embarrassing wherever it came up. Mr. Lloyd George is credited with saying that England's greatest enemy was not across the Channel, but at home. England and Canada found it necessary to lay restrictions upon the liquor traffic if the munition plants were to operate at full capacity. Russia came to legal prohibition a few months after the opening of the war. By a series of Imperial Ukases the Czar placed a ban on all liquor throughout the empire. It

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[12] N. Y. *Times*, Dec. 20, 1916. The vote stood 38–38. See 39 *Stat. at L.* 1123.

[13] For Webb-Kenyon Act see 37 *Stat. at L.* 699; for amendment under Wilson see 39 *Stat. at L.* 1069.

[14] Colvin, *op. cit.*, 441; *Annual Report*, Sec'y. Int., 1917, I, 106–07; *Ibid.*, 1918, I, 142–43.

was possible to accomplish this legally in Russia by such a process, as the traffic was a State monopoly. France early placed absinthe on the contraband list, but it never abandoned the use of liquors of lighter alcoholic content.[15]

To these experiments of the Allies the President was a patient listener. He realized, however, that the habits and sentiments of our people were different in many respects from those of the people across the water. Hence in tackling the same problem here, these differences had to be taken into account. Furthermore, the winning of the war required a united sentiment throughout the nation. To estrange a part of our people by legislating moral and social reforms unacceptable to them would have been folly at such a time.[16]

The Drys in this country sought to capitalize the moral enthusiasm aroused by our entry into the war to bring about nation-wide prohibition. Twenty-seven States had enacted statutes prohibiting liquor within their borders by the time the federal amendment passed Congress late in 1917. When would the tone of the nation for moral and social issues reach such a pitch again? There was also the appeal to efficiency and conservation. It was necessary to keep the soldier, factory worker and farmer in a high state of fitness. No class should fall short of maximum production at this time. The conservation of food, fuel and transportation was equally vital to success at home and abroad. The appeal to this common sense argument was certain to find a hearing with the American people.

In the Selective Service Law, popularly known as the Draft, the efficiency of the fighting forces was taken into account. The sale of intoxicating liquors to officers and men in uniform was forbidden.[17] The President was given the power by Congress to issue Executive Orders for the control of the traffic, power of

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[15] *Vide Rev. of Rev.*, Aug. 1914, 212; *Ibid.*, Dec. 1915, 748; *Atlantic Monthly*, Dec. 1915, 739.

[16] The House Democratic caucus voted 87–60 to include the Howard bill for nation-wide prohibition in its legislative program, but later rescinded its decision and decided to consider only such legislation as the President urged as war measures. N. Y. *Times*, Apr. 20 and 21, 1917.

[17] Sect. 12 of law of May 18, 1917.

which he availed himself from time to time.[18] Although Congress failed to include the Navy in the liquor clause of the above Act, the Attorney General ruled that the clause applied to the Navy as well as to the Army. Later Congress repaired the omission by passing a special act.

In the summer of 1917 the Food Control bill was passed by the House with a clause prohibiting the manufacture of all distilled and intoxicating liquors.[19] In the Senate this clause was struck out. A sub-committee upheld the ban on distilled spirits, but permitted the manufacture of wine and beer. On the floor of the Upper chamber this change provoked hot debate. The Democratic leaders, in despair, laid their case before the President. It was necessary, they pointed out, that the bill be passed without delay if the government was to control the food supply of the nation and feed our army as well as to assist in feeding the armies of the Allies. At first the President demurred, preferring to let the Senate find its own way out. Later he consented to express an opinion. He favored the ban on distilled spirits, but was opposed to cutting off wine and beer.[20] The bill was then re-drafted substantially in accordance with the President's wishes. A clause was inserted giving the President power to cut off the supply of fruits and grains from the brewers when he deemed it necessary to conserve such foods. Wilson then fought for the passage of the measure. In a letter to the Reverend James Cannon of the Anti-Saloon League he wrote: "I have not hesitated to say to members of the Senate . . . that it would undoubtedly be in the public interest . . . if friends of these provisions (wine and beer) should consent to their elimination from the present measure."[21] The League soon withdrew

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[18] *Vide Bulletin*, No. 45, War Dep't.; Executive Order, Sept. 17, 1917; Baker, N. D. *Frontiers of Freedom*, 165 ff. For a monograph on *Government Control of the Liquor Business in Great Britain and the United States* by T. N. Carver, see vol. 13, Prelim. Econ. Studies of the War published by the Carnegie Endow. Sec'y. Daniels forbade the use of liquor in the Navy, July 1, 1914, *N.Y. Times*, Apr. 7, 1914. For a discussion of alcoholic liquors in the principal navies of the world see N. Y. *Times*, Apr. 12, 1914.

[19] Mr. Hoover, then Food Administrator, recommended to the President the appointment of a committee to determine what saving could be effected by such action. N. Y. *Times*, May 27, 1917; June 28, 1917.

[20] *Ibid.*, June 30, 1917.

[21] *Cong. Rec.*, 65 Cong., 1 Ses., vol. 55, 4585.

its pressure on Congress and the bill, as re-drafted in the Senate, passed both Houses. The President employed the discretionary power given him in the bill in January, 1918. By Proclamation he reduced the output of beer to 70 per cent of the production of the previous year, and later reduced the alcoholic content of beer to 2.75 per cent. In September, 1918, he ordered the closing of all breweries on December 1, 1918, to conserve our grain supply.[22]

But the end of conserving man power and food had not been reached. In the summer of 1918, when the war situation was particularly tense, the question arose in the minds of many people as to the necessity of wasting any food in the production of non-essentials (wine and beer). The argument in favor of total restriction of food usage pointed out the enormous food saving possible, the diverting of labor to the manufacture of war materials, and the use of the breweries for war purposes. The loss of revenue suffered by the government through the cutting off of the liquor taxes could be made up in other ways.

On the other hand, another group expressed the fear that total restriction on the manufacture of all alcoholic liquors would cause discontent by interfering with the habits of many people. The President was numbered among this latter group. Senator H. C. Lodge of Massachusetts was fearful of a divided sentiment in the nation, as was Mr. Gompers of the American Federation of Labor.[23]

Despite this possibility of a division in the nation during the War, the House attached a "rider" to an agriculture bill prohibiting, in a round about way, the manufacture of all alcoholic beverages, thus leaving the country open to the consumption of liquors on hand. The stocks of whiskey in bond were enormous and the President pointed out the evil effects of a "hard" liquor ration. He thought it "wise and statesmanlike" to let the situation stand without change until the Food Administration deemed it necessary to take further steps towards conserving the food

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[22] The Brewers' Association volunteered a reduction in the use of coal of 700,000 tons annually. *Of. Bul.*, Jan. 9, 1918; *Ibid.*, Feb. 16, 1918; *Ibid.*, Mar. 9, 1918.

[23] Monograph by Carver, T. N., quoted in footnote 18.

supply of the nation.[24] On reaching the Senate the "rider" was struck out. After weeks of wrangling there was evolved what is known as the Wartime Prohibition Bill. A ban on the use of all foods in the manufacture of wine and beer was to be laid after May 31, 1919, with nat on-wide prohibition to follow thirty days later and to continue throughout the war and period of demobilization. By Proclamation the President was to determine when the period of demobilization was ended. A minor clause authorized the President to establish "dry zones" in strategic mining and industrial centers throughout the country. As the bill did not become law until the armistice had been signed, the President never availed himself of the opportunity to establish "dry zones". Six months later Wilson twice urged Congress to remove the ban upon the manufacture of wine and beer.[25] In his opinion demobilization had advanced to such a point that the ban could be safely lifted. But Congress remained indifferent to his requests.

The fall of 1919 saw the passage of the Volstead Act by Congress and its veto by the President. In his veto message Wilson pointed out that the Act legislated upon two phases of prohibition: (1) Wartime Prohibition; (2) provisions made necessary for the enforcement of the Eighteenth Amendment which had

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[24] See Wilson's letter to Senator Sheppard, Tumulty, J., *Woodrow Wilson as I Knew Him*, 412–13; H. R., 11,945, 65 Cong., 2 Ses. The War-time Prohibition bill was separated by the Senate from the agricultural bill, and passed as a separate measure which the House accepted. N. Y. *Times*, Sept. 24, 1918. The House bill provided for an appropriation of $6,000,000 to be devoted to extension and county agent work. This sum was not to be available unless all liquor manufacturing was stopped. Food Administrator Hoover pointed out that approximately 3,150,000 bushels of grain were used monthly in the manufacture of beer. He indicated that it was a problem whether it was wise to abolish beer, considering the small amount of grain used. *Cong. Rec.*, 65 Cong., 2 Ses., Vol. 56, 7421.

[25] Baker, R. S., and Dodd, W. E., *War and Peace*, I, 495–96; N. Y. *Times*, June 29, 1919. Hereafter *The Public Papers of Woodrow Wilson* (ed. by Baker, R. S. and Dodd, W. E.) will be cited as *College and State* (2 vols.), *New Dem.* (2 vols.), *War and Peace* (2 vols.). See Tumulty, *op. cit.*, 414–21. The President was informed by his Attorney General that he did not possess the legal power to lift the ban until demobilization was declared complete. Wilson subsequently declared that he would remove the ban without Congressional action once demobilization was terminated. The Republicans, then in control of Congress, declared the President had authority to act without referring the matter to Congress.

passed Congress and been submitted to the States in 1917. He expressed emphatic disapproval of the entire Act because of the clause continuing Wartime Prohibition. This emergency legislation, he declared, no longer had any reason for existence, and sound public policy demanded its repeal.[26] There was no mention in the veto message of his approval or disapproval of either the Eighteenth Amendment or the Volstead Act. There was a suggestion that Congress separate the two measures and act upon them one at a time. But this suggestion was discarded and the measure passed over his veto. Later Wilson considered sending a message to Congress to ask that the manufacture of light wines and beers be permitted, or the alcoholic content of the Volstead Act be changed.[27] Eventually he decided that Congress had spoken overwhelmingly against any such change.

Wilson was unwilling to have prohibition made a dominant issue in the 1920 Presidential campaign. In an interview granted Mr. Seibold of the *World* before the Democratic convention assembled in June, the questions of prohibition, of woman suffrage and of Mr. Bryan came up. The President made precisely the same answer to each inquiry: "I have great confidence in the sober judgment of the leaders of the Democratic party whose voice and influence will be felt at San Francisco." He delivered to a trusted friend a copy of a "wet plank" which he had prepared, but the "dry" atmosphere of the convention was unmistakable and the plank was never presented to the Committee on Resolutions.[28]

The President had expressed enthusiasm over the Virginia State Democratic Resolutions drafted by Senator Glass in May, 1920.[29] In fact, he made a personal appeal to the Virginia Senator, after making known his wishes to influential members of the

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[26] *War and Peace*, II, 424–25.

[27] Tumulty, *op. cit.*, 420–21.

[28] *Ibid.*, 421; Lawrence, David *True Story of Woodrow Wilson*, 300. The plank reads: "We recognize that the American saloon is opposed to all social moral and economic order, and we pledge ourselves to its absolute elimination by the passage of such laws as will finally and effectually exterminate it. But we favor the repeal of the Volstead Act and the substitution for it of a law permitting the manufacture and sale of light wines and beers."

[29] N. Y. *Times*, May 29, 1920.

Democratic party, to accept the Chairmanship of the Committee on Resolutions at San Francisco. History shows that his wish was gratified. In the Virginia Resolutions no mention was made of prohibition. At a White House conference before leaving for the convention the Senator was asked his opinion on proposing a modification of the Volstead Act to include light wines and beers. The opinion expressed was strongly in the negative. It was pointed out that such a plank would submerge all other issues, including the League of Nations in which the President was most interested, and hopelessly split the Democratic party. In this opinion, writes Senator Glass, the President concurred. As the Senator quotes no direct words of the President the deduction is, apparently, his own.[30] All attempts to include "wet" or "dry" planks were beaten by wide majorities.

Four years later Wilson drafted a plank and circulated it among friends, of whom he asked an opinion "of its prospects of favorable consideration."[31] This, of course, meant favorable consideration by the Resolutions Committee of the Democratic party when it assembled in New York City for its National Convention. But the bitterness aroused by the early stages of the Convention produced such strife that the time never seemed propitious to lay the plank before the Committee. However, the document itself is interesting in determining Wilson's attitude.

After pointing out that Congress and the several States have concurrent power in enforcing the Eighteenth Amendment the plank says: "The intention was that each government should perform that part of the task for which it was peculiarly fitted. The federal government's part is to protect the United States against illegal importation of liquor from foreign countries and to protect each State from the illegal introduction into it of liquor from another State." It was Wilson's contention that the

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[30] *Ibid.*, Mar. 3, 1929. The Democratic candidate for President said during the 1920 campaign, when the prohibition question came up: "As a progressive in government I know when an event has passed by and becomes a part of yesterday. The reactionary rarely does. The friends of world peace . . . will win this election and an attempt to divide them on any question not an issue will be unavailing." *Ibid.*, Sept. 20, 1920.

[31] *Ibid.*, Mar. 3, 1919.

enforcement of the law, in this respect, required centralized power and unified action, which only the federal government could supply. It was natural that the central government should undertake this share of the enforcement as the Constitution had placed the control of foreign and interstate commerce in its hands. In 1917 the so-called "Bone Dry" law saddled the federal government with the responsibility of preventing liquor shipments into dry States. Likewise the use of the mails was denied publications, having liquor advertisements, circulating in dry States.

On the other hand, to quote Wilson, "The protection of a people of a State against the illegal sale within it of liquor illegally manufactured within it is a task for which the State governments are peculiarly fitted and which they should perform." He added that the variety of conditions among the States make it possible for the States alone to carry out this part of the statute effectively. In fact: "To relieve the States from the duty of performing it violates our traditions and threatens the best interests of the country." The document ends with two strong declarations: "But the Eighteenth Amendment should remain unchanged. And the Volstead Act should remain unchanged."

Several conclusions may be drawn from the above plank. In the end, enforcement of prohibition must rest upon the States. Where popular sentiment within a State has accepted prohibition readily, enforcement is likely to be rigid. Where popular sentiment is lukewarm or strongly opposed to prohibition, violations of the law will be winked at. Under the above proposed system failure to enforce prohibition rests upon the individual States and not upon the Federal government, as now.

Wilson was not directly responsible for the coming of prohibition in this country. By the time the Eighteenth Amendment was adopted twenty-seven States had outlawed liquor within their borders. The movement for temperance had momentum behind it. In the light of present-day evils resulting from prohibition it would seem that Wilson's original stand on the States' rights method of settlement was well taken. From the evidence thus far disclosed there is nothing to show why he declared in

1924 that neither the Eighteenth Amendment nor the Volstead Act should be changed. While he proposed to place the responsibility for enforcement upon the States, he offered no legal escape from the statutes. It is difficult to believe that a man of his vision could not foresee many of the evils which we have witnessed, and offer some legal escape from them. It is possible that his plan for placing the responsibility for enforcement upon the States was intended to arouse the States themselves to force action from Congress.

To summarize: Wilson took a States' rights view of handling the prohibition question in 1913 and also in 1924 with regard to local enforcement. Even prior to 1913 he declared that prohibition was a "social and moral" issue which should be settled by localities and States. It should not be made a party issue, either locally or nationally. During the World War he held it inadvisable to legislate on the question in such a way as to alienate a part of our citizenry. As far as Wilson was concerned prohibition was a war Act brought about through an appeal to the moral tone of the nation and through the necessity of the conservation of our food supply. Although favorable to "light wines and beers", he accepted the fiat of the Volstead Act and the Eighteenth Amendment, but held (in 1924) there should be a distribution of enforcement powers which would, in the end, throw the burden of enforcement upon localities and States. In this way, he believed public sentiment within the smaller unit would be a barometer of the degree of enforcement.

## II

### Woman Suffrage

Wilson at first looked upon woman suffrage and prohibition as questions to be settled by States and localities, not by the federal government. In the case of suffrage the march of democracy due to the World War led him to abandon his earlier views. He fought vigorously in 1918 for a federal amendment granting equal suffrage to women.

The suffrage movement, inaugurated in 1848, was early identified with prohibition and anti-slavery.[1] Apparently it was the passage of the Thirteenth and Fourteenth Amendments to the Constitution during the Civil War period which convinced the suffrage leaders that they could secure the ballot by a federal amendment.[2] Prior to the Civil War, public opinion in all parts of the country was strongly resentful of any assumption of authority by the federal government. The States' rights idea was dominant. The war modified this opinion.

Paralleling any effort toward federal action were the campaigns waged in individual States to secure ratification. Seventeen referenda in eleven different States had been made from 1869 to 1910.[3] The tang ble result was that woman suffrage was established in four States: Wyoming and Utah were won in their territorial days, while Colorado and Idaho were won on referenda.[4] The effort expended was enormous; results seemed meager in proportion. Suffrage leaders appeared before Roosevelt in 1908 to inquire whether he favored submitting another petition to Congress. This yearly practice they had not failed in since the Civil War. He replied in the negative. His advice was, "Go, get another State."

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[1] For a general account of the suffrage movement in the United States, see Catt, C. C. and Shuler, N. R. *Woman Suffrage and Politics;* Irwin, Inez H. *The Story of the Woman's Party.*

[2] Catt and Shuler, *op. cit.*, chap. III-VII.

[3] Kan., Mich., Neb., Col., R. I., Wash., Idaho, Cal., S. D., Ore., N. H.

[4] Catt and Shuler, *op. cit.*, 127.

The suffragists were granted their first congressional hearing in 1869 when Mrs. Stanton appeared before a Senate committee to plead for the right of suffrage for women in the District of Columbia. When it became evident that no action could be secured in Congress from committees to which federal suffrage amendments were referred, the leaders tried to induce Congress to establish Standing Committees on Woman Suffrage. A so-called Select Committee was set up in both Houses.[5] The Senate renewed this Committee in 1883, but the House declined to do so.[6] In time the Upper House changed its committee into a Standing Committee, which remained so until the adoption of suffrage. The Judiciary Committee was the recipient of suffrage amendments in the House.

The committee fell short of energetic action in the Senate. During thirty-five years of Republican control the chairmanship was assigned to a Southern Democrat. Woman suffrage—which meant to a southerner the negro woman with the ballot—was anathema to any one south of the Mason-Dixon line. Mrs. Catt has described effectively the hostility of these Democratic chairmen when she recounts the emotion with which Miss Anthony closed a hearing before the Committee. All eyes were directed upon the Virginia chairman. "He was clearly perturbed and under the control of emotion. What would he do?" Mrs. Catt asks. Presently the source of his emotion was discovered—he was in need of the spittoon. She adds, "No indication of more sympathetic interest did any of these Southern Democratic chairmen ever show."[7]

In 1912 the National Woman Suffrage Association sent inquiries to all the presidential candidates asking their attitude on the suffrage question. Taft was opposed to a federal amendment. Roosevelt dexterously qualified his statement with so many reservations as to make it useful for either one side or the other. Wilson replied: "I do not feel I am ready to utter my confident judgment about it yet. I am honestly trying to work

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[5] *Ibid.*, 231.

[6] The House did not create a Standing Committee until Sept., 1917. N. Y. *Times*, Sept. 25, 1917.

[7] Catt and Shuler, *op. cit.*, 232.

my way towards a just conclusion."[8] Soon he came to favor openly adoption by direct action of the States, not by the federal government. In 1915 he wrote: "My position on this question is well known. I believe it should be handled by the States and not by the federal government, and my view has grown stronger at every turn of the agitation."[9]

Nine months after he entered the White House a suffrage delegation waited upon the President with a request that he lend his support to a federal amendment, and urge its adoption by Congress. But he politely refused. He was the head of the government; he was also leader and spokesman for his party. Since his party had not attached its approval to a federal amendment, the President declared: "I am not at liberty to urge upon Congress in messages policies which have not had the organic consideration of those for whom I am spokesman."[10] Such a request if acted upon affirmatively would have been contrary to his theory of government as conceived at this period. It was part of the "whole process of government," he said, "that I shall be spokesman for somebody, not for myself," adding that he had to confine himself to those things which had been embodied as promises to the people at an election.[11]

Although the President had had the successful experience when Governor of New Jersey of taking an advance-guard position in respect to his party, yet at this time he had not assumed such a position nationally. That was to come later.

But this denial of support for the proposed Susan B. Anthony Federal Amendment did not lessen his advocacy of State amendments. He took an active personal interest in the New Jersey

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[8] *Ibid.*, 237–38. The Progressive platform which Roosevelt is credited with having written, reads: "The Progressive Party . . . pledges itself to the task of securing equal suffrage to men and women alike." Porter, *op. cit.*, 337. The Democratic and Republican platforms made no direct references to the question. *Ibid.*, 320–334; 351–61. Lawrence, *op. cit.*, quotes verbatim Wilson's views at this time: "The principal objection to giving women the ballot is that they are too logical. A woman's mind leaps instantly from cause to effect, without any consideration for what lies between. She thinks too directly to be enfranchised en bloc. She would run into all sorts of trouble." p. 135 et seq. Two of the President's daughters were suffragists.

[9] N. Y. *Times*, Oct. 8, 1915.

[10] *Cong. Rec.*, 63 Cong., 2 Ses., Vol. 51, (appen.) 857.

[11] *Ibid.*

election in 1915 in which the amendment had been placed on the ballot.[12] Along with Secretary Garrison he supported it by a vote. Secretary McAdoo championed the cause in New York State, as did Secretary Wilson in Pennsylvania. In Tennessee, the amendment had passed the Lower House, but failed in the Upper. Wilson telegraphed the presiding officer of the Upper Chamber expressing the hope that the "Senate of Tennessee will reconsider its vote", adding "our party is so distinctly pledged to its passage that it seems to me the moral obligation is complete."[13] Similarly, he took up the cause when it was submitted to the voters in New York State. In August, 1917, and again in October, he encouraged the leaders by urging the voters to support the State amendment at the polls.[14]

Reading between the lines of his public statements toward the close of 1917, there is a faint glimmer of a change coming over the President's attitude. The Suffragists in convention at Atlantic City, September, 1916, invited the head of the nation to address them. The leader of the cause dated the President's conversion from the hour of this address. She credits him with "yielding to the momentum of the movement" which was working towards a climax in his administration.[15] He informed the delegates he had come there, not as formerly, "to fight against anybody, but with somebody."[16] But the note in the address which aroused the thought of his conversion was this: "We feel the tide (of suffrage) . . . and we shall not quarrel in the long run as to the method of it." This was interpreted by the convention to mean that he would support a federal amendment. Mrs. Catt writes that whether the "National Suffrage Association is right or not in believing that then and there the President was transformed from a sympathizer into a campaigner, certainly it was the Association's experience . . . that from that date he

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[12] N. Y. *Times*, Oct. 5, 1915.
[13] *Ibid.*, March 4, 1917.
[14] *Ibid.*, Aug. 30 and Oct. 26, 1917. Regarding the pickets which had been guarding the entrance to the White House in a manner, at times, most offensive to the President, he wrote Mrs. Catt: "I hope no voter will be influenced in his decision . . . by anything the so-called pickets may have done in Washington".
[15] Catt and Shuler, *op. cit.*, 260.
[16] *New Dem.* II, 300.

never declined to find time for a delegation from it, never refused to grant any request for aid."[17]

Facts, however, do not bear out this belief. Three months prior to the Atlantic City meeting Wilson dictated the suffrage plank incorporated in the Democratic platform of 1916. It read: "We recommend the extension of the franchise to the women of the country by the States upon the same terms as men."[18] In late September of the same year he administered a gentle rebuke to an ardent Oregonian who approached him on the matter of support for the federal amendment. He admonished her: "It seems . . . a very great disservice to the cause that partisan use should be made of it, particularly at a time so critical as this."[19] More than a year later a group of suffragists called at the White House on the same mission, and, like their Oregonian sister, came away empty-handed.[20]

It required the entrance of the United States into the war with the consequent presentation of two forms of government—Prussian autocracy and American democracy—to bring the President to the point of advocating the adoption of a federal amendment. In reply to a suffrage delegation from New York, October 25, 1917, Wilson gave the first hint of the change coming over him. After reviewing the part women had played thus far in the war he said: "I perhaps may be touched a little too much by the traditions of our politics which lay such questions almost entirely upon the States."[21] The leaven of complete democracy was at work in his mind. Where the States seemed woefully tardy in bringing about this democracy, he thought it imperative that the federal government should assist.

By January, 1918, he had bridged the chasm between the adoption by States separately and by the federal government.

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[17] Catt and Shuler, *op. cit.*, 260.

[18] Porter, *op. cit.*, 385. The Republican platform recognized the right of each State to settle this question. *Ibid.*, 402. In his acceptance speech Mr. Hughes favored woman suffrage and, in a letter to Senator Sutherland, urged the speedy enactment of the Federal Amendment, N. Y. *Times*, Aug. 2, 1916.

[19] N. Y. *Times*, Sept. 29, 1916. The administration was engaged in a diplomatic battle with Germany over the sinking of United States ships; the Mexican crisis was still acute; our "Preparedness" campaign was being debated.

[20] *Ibid.*, Nov. 2, 1917.

[21] *War and Peace*, I, 109.

The Suffrage Committee in the House was sorely perplexed by the question. At each new session of Congress the tireless advocates of women's rights never failed to plead their cause. Changes in men's minds had been wrought by the war. The Committee was hopelessly divided in its opinion. The Southern members were as unalterably opposed as ever; but the remainder of the membership was moved. In this dilemma the Committee turned to the President for guidance. After a long conference at the White House, the chairmen reported: "The Committee found that the President had not felt at liberty to volunteer his advice to the members of Congress in this matter; but when we sought his advice he very frankly and earnestly advised us to vote for the amendment as an act of right and justice to the women of the country and of the world."[22] He informed the Committee that he still believed the way of dealing with the question was by individual States, but in view of conditions then existing in the United States and throughout the world, he felt free to advise the submission of a federal amendment to the States. When the problem of the States' rights issue was raised Wilson suggested that this did not complicate the situation, that suffrage was a policy and not a principle. It must be added that the interest manifested by his daughters in the movement for a federal amendment had an influence upon the President.[23]

With the party leader's opinion before them, the Committee reported the amendment favorably to the House, and on the following day, January 10, 1918, it was adopted by exactly a two-thirds vote—274–136.[24]

Thus the growth of the President's attitude with altering conditions is manifest. He had opposed a Tariff Commission until its utility had been demonstrated. He had stood firm upon the

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[22] The President wrote Mrs. Catt in June, 1918, as follows: "I agree without reservation that the full democratic reconstruction of the world . . . will not have been completed until women are admitted to suffrage . . . The services of the women during this supreme crisis have been of the most signal usefulness." *Cong. Rec.*, 65 Cong., 2 Ses., Vol. 56, 7795.

[23] Lawrence, *op. cit.*, quoting the President writes: "When I find my two daughters such ardent suffragists, passionately devoted to the cause . . . I must concede that some of my prejudices were unreasonable, and that the desire for the ballot cannot be limited to the relatively few agitators." p. 136.

[24] N. Y. *Times*, Jan. 11, 1918.

sufficiency of our national defenses until the pressure of the war brought a possibility of our entrance. He had placed faith in arbitration as a means of settling disputes between nations until the opening of the war made evident the break-down of such agreements. Then he, along with others, was converted to a League of Nations. And now, the democracy which he preached, to be complete, must make no discrimination in its citizenry on account of sex.

His advocacy in the Senate for a federal amendment was as ardent as had been his advocacy for adoption by States by direct action. He wrote Senator Shields, of Tennessee, asking him to support the measure in the Senate, saying that passage at this time was "an essential psychological element in the conduct of the war."[25] A week later he made the same request of Senator Baird of New Jersey.[26] In his personal appeal for the adoption of the amendment before the Senate on September 30, 1918, the President explained the enigmatic phrase in his letter to Senator Shields. After assuming that "no disputable principle is involved" but only a question of method by which suffrage is to be extended to women, he declared there could be no party issue involved in it.[27] He expressed a doubt if State action was practicable within any reasonable length of time, if at all.[27] The peoples of the world, the President urged, were looking to the "Democracy of the West" to lead them. "To them," he added, "democracy means that women shall play their part in affairs . . . upon an equal footing with men . . . If we reject measures like this, they will cease to follow or trust us." To him the ultimatum was clear. The United States must either confirm or deliberately reject what the women proposed. Rejection would be followed by the loss of the leadership of liberal minds.[28]

While Wilson was not responsible for the coming of prohibition he was directly responsible for granting women the ballot. Up to the War some fifteen States had granted suffrage by direct action, while twenty-seven States had forbidden the sale of

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[25] *Ibid.*, July 31, 1918.
[26] *Ibid.*, Aug. 3, 1918.
[27] *War and Peace*, I, 263–67.
[28] *Ibid.*

liquor within their borders. In 1918 England and Germany had granted suffrage to women and it seemed necessary that the United States do no less if she were to retain the leadership of liberal opinion in the world. It must be said that the Democratic party had adopted no policy of world leadership, but the President himself had fashioned such a policy. In advocating suffrage Wilson went contrary to his party's policy adopted in 1916. No mention was made by him in 1918 of women's fitness to exercise political rights or the justice of the ballot to enable women to protect property rights. His theoretical political science had given way, it would appear, to larger demands of public policy.

The Senate did not view the matter in the same light as the President. On the first vote following his appeal, the measure failed of adoption, the vote standing 53 to 31. With this rejection staring him in the face, Wilson carried his fight to the States so as to bring pressure to bear upon the nominees for the Senate. He congratulated two candidates for the United States Senate from New Jersey upon their pledged support of the amendment.[29] Upon the State chairmen of both parties in Oklahoma he urged the adoption of the amendment as part of the senatorial campaign.[30] Urgent cable appeals were sent by the President from Paris to the Senate, but, despite these, the measure was again defeated, 55–29.[31]

His pressure, however, was finally effective. On June 5, 1919, with a margin of two votes more than the necessary two-thirds, the amendment passed the Senate and was submitted to the States for ratification.

Even here the President's labors were not ended. Ratification by the States came at a goodly pace until the thirties were reached, and then the pace slackened. The President intervened in West Virginia when the Upper House had voted "no", by asking two State Senators to change their votes.[32] Likewise, he sought to persuade the Tennessee Legislature to take favorable action. When the necessary thirty-six had finally accepted the

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[29] N. Y. *Times*, October 24, 1918.
[30] *Ibid.*, Oct. 26, 1918.
[31] *Ibid.*, Feb. 11, 1919.
[32] *Ibid.*, March 3, 1920.

amendment, the President could consider that a good fight had been won and that his leadership was again supported after its defeat the previous November in the Congressional elections.[33]

Wilson's early opinion of the way to obtain Woman Suffrage coincided with his opinion on the method of obtaining prohibition, i. e., by direct State action. But unless one doubts the sincerity of his forceful statement to Mrs. Catt, the indispensable part played by women during the World War led him to see that the democracy which he preached, to be complete, must include women in its privilege of suffrage.[34] He became a fighting supporter of the Susan B. Anthony Amendment (19th Amendment) which removed any distinction in the exercise of the ballot on account of sex.

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[33] From the passing of the amendment by the Senate (June 5, 1919) to the ratification by the Tennessee legislature (Aug. 18, 1920) the Woman's Party spent $149,599.36. About $80,000 were spent to secure the 36th State, $68,519.26 being devoted to Delaware and more than $10,000 to Tennessee. *Ibid.*, Aug. 22, 1920.

[34] *Infra.*, 26.

## III

### Conservation of Natural Resources

The necessity of federal ownership of public lands was recognized upon the establishment of the government.[1] A resolution by the Confederation Congress (October 10, 1780) provided for the "reception and care" of unappropriated lands ceded by the States; also their "disposition . . . for the common benefit."[2] Eventually seven States ceded 259,171,789 acres, which total was augmented when the States accepted Hamilton's policy of the surrender of their public lands in exchange for the assumption by the federal government of Revolutionary war debts. Later, purchase, cession and treaty increased this total acreage.

Originally, the United States considered its public lands a source of revenue. "Legislators did not look upon the public lands from a standpoint of settlement, but from that of finance" an authority writes concerning this early period.[3] This policy provoked hot debate in Congress for years, led by Foote on one hand and Benton on the other. As the views of Benton finally prevailed, the policy adopted by the government was to dispose of its public lands for a purely nominal consideration, with preference given to actual settlers. No account was taken of the mineral deposits which might be lodged beneath the surface. This method of disposition laid the foundation of the "pre-emption" laws and the modern Homestead Act. During the 19th century Congress was lavish in its land grants to western States, who frequently turned over such tracts to private companies for internal improvements.[4] In order to encourage westward migra-

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[1] *Annual Report*, Sec'y Int., 1916, I, 192–93. For a collection of the statutes relating to the public lands up to 1883, see Donaldson, Thos. *The Public Domain*, 196 et seq.; see Van Hise, C. *The Conservation of Natural Resources in the United States.*

[2] *Annual Report*, Sec'y. Int., 1916, I, 192–93; *Pol. Sci. Quar.*, 1913, 496–511.

[3] *Johns Hopkins University Studies*, Vol. IV, 259–441, article by Shosuke Sato on "History of the Land Question in the United States"; Fiske, John in *The Critical Period of American History* looked upon the public lands as one of the "germs of national sovereignty", 203 et seq.

[4] *Amer. Pol. Sci. Rev.*, May, 1916, 272; Ogg, F. A., *National Progress*, Chap. VI.

tion Congress itself donated huge tracts to private corporations on condition that they make the land inviting to settlers. Grants to the Northern Pacific Railroad alone practically equalled the combined areas of Ohio and New York.[5] There were in addition large tracts turned over to the States for educational purposes.

This prodigality of Congress had evil effects. The people of the West held the opinion that "land is land" and should be allotted by the government indiscriminately. Furthermore, eastern corporations had come into possession of vast tracts which they were disposing of at exorbitant figures, likewise removing the timber, ore and coal. Public spirited experts pointed out, near the turn of the nineteenth century, that our remaining lands were much less extensive than supposed. At the present rate of consumption they contended that we had a timber supply for less than thirty years, anthracite coal for fifty, and bituminous for a hundred.[6] They emphasized the necessity for Federal legislation to preserve our natural resources.

Roosevelt led the way in legislating protective statutes.[7] Through the prosecution of violators of the land laws and the establishment of forest reserves he tried to prevent the total alienation of agricultural lands which contained valuable oil and ores. Such lands he withdrew from entry until they could be classified according to their true valuation. Under Taft, Congress through the vigorous recommendation of Secretary Ballinger of the Interior Department, continued the process of withdrawing and classifying the lands. But Secretary Ballinger wrote in his last *Annual Report* (1912): "The difficulty is that once withdrawn and classified such lands cannot be restored to entry under laws which will promote development, prevent mere exploitation and protect the public interest."[8]

In the 1912 campaign Wilson declared for a policy of "positive conservation, as distinguished from mere negative reservation."[9] "We must use the resources of the country, not lock them up,"

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[5] *Amer. Pol. Sci. Rev.*, May, 1916, 272.
[6] Ogg, *op. cit.*, 97–98.
[7] Roosevelt, T., *Autobiography*, 429–31; Van Hise, *op. cit.*, 2–16.
[8] *Annual Report*, Sec'y. Int., 1912, I, 4–5; Ogg., *op. cit.*, 102.
[9] The *New Freedom*, a collection of Wilson's 1912 campaign speeches edited by Wm. B. Hale, 77–79.

he said. The "use" was to be in the interest of the individual, not of monopoly. Yet, in another sense, he declared that the question of conservation is "a great deal bigger" than the question of saving our forest, mineral and water resources; it is the hope of the nation for the future and cannot be dealt with upon "any narrow idea of individual rights as against the abiding interests of communities." The Democrats in 1912 had framed their platform plank along this line.[10]

Wilson urged a definite policy for the "use" of the lands in his first annual message to Congress. "Alaska, as a storehouse," he said, "should be unlocked. One key to it is a system of railroads. These the government itself should build and administer."[11] Secretary Lane of the Department of the Interior prepared a bill to "unlock" Alaska, embodying the general conservation principles which the President had declared.[12] In substance, the government was to retain 12,800 acres of coal lands in two coal fields, and one-half the areas in all other fields. The remaining coal lands were to be leased in blocks ranging from 40 to 2,560 acres, to individuals and corporations for periods running up to fifty years. Royalties and rentals received from the leases were to be devoted to Alaskan development, in part paying for the railway construction. The government retained the right to adjust leasing terms on the expiration of leases.[13] Thus Wilson's "unlocking" process was carried out in a way to prevent monopoly. It is interesting to note that leases for 9,305 acres of coal lands were granted by the Interior Department up to July 1, 1920, under the Act passed October 20, 1914.[14] This acreage seems sizable when there is taken into consideration the small acreage which had actually passed to patent under the old law. Also the fact that, during the World War, investments were made

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[10] Porter, K. H., *National Party Platforms*, 329–30.
[11] *New Dem.*, I, 78.
[12] Article by Sec'y Lane in N. Y. *Times*, March 22, 1914. Alaska had much to unlock. It contained more than 21 million acres of known coal lands. Of these, claimants had entered upon 32,000 acres and made *bona fide* effort to obtain title to same. Only two claims, aggregating less than a quarter section, had passed to patent. *Rev. of Rev.*, June, 1914, 652–53.
[13] For Act see 38 *Stat. at L.* 741–45; *Annual Report*, Sec'y Int., 1914, I, 13–15.
[14] *Annual Report*, 1920, I, 92–93.

in Liberty Bonds and in industries in this country which would produce immediate revenue.

At the same time as the Alaskan Act, Wilson and Lane pressed for the development of the mineral resources in the rest of the United States. The President had testified to the government's concern for the "proper conservation and the proper use of the mineral resources of the nation" in an address before the American Mining Congress.[15] The outbreak of the Great War soon demonstrated our dependence upon foreign countries for minerals which our unexplored lands probably contained.[16]

In 1911 Congress appropriated money for research work in potash so as to relieve our too great dependence upon Germany. As a result of exploration, potash sources were discovered in the Nebraska sand hills and at Searles Lake, California.[17] By further stimulation Congress was induced in 1916 to enlarge its grant to establish plants for obtaining potash on a commercial scale, the products to be sold by the Department of Agriculture.[18] Through the Pittman Act, passed in 1917, government lands about Searles Lake were opened to prospecting, as were lands containing potassium and potash in any form.[19] It is important to note that such areas were opened to individuals or corporations in small tracts for two years for prospecting. If minerals were discovered, leases were granted for restricted areas and periods of operation on a rental and royalty basis. In this way a barrier was erected against monopoly. In all such leases the government was most generous in suspending its lease requirements for the man who joined the fighting forces. When the Cottrell device enabled the by-products from the manufacture of cement to be converted into potash, and it was discovered that the dust from blast furnaces was higher in potash content than cement dust, Secretary Lane predicted in

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[15] *Cong. Rec.*, 63 Cong., 3 Ses. (appendix), 502. *Dec. 7–11, 1914.*

[16] We bought nitrates from Chile, potash salts from Germany, and iron pyrites—from which sulphuric acid is made—largely from Spain. We imported manganese, chromite, tungsten and antimony; were dependent upon Russia and Colombia for platinum, upon Canada for nickel and cobalt. *Rev. of Rev.*, Jan. 1919, 77. For mineral resources of this country see *Annual Report*, Sec'y Int., 1914, 153–211.

[17] *Rev. of Rev.*, Jan, 1919, 77.

[18] 39 *Stat. at L.*, 465.

[19] 40 *Stat. at L.*, 297.

1918 that the country would be self-sufficient in potash within two years.[20] By 1920, however, the new devices had not been perfected to the extent of making the country independent of the outside world for this salt.

The Minerals Lands bills pertaining to coal, oil, gas, etc., in the United States were brought before Congress in 1914, and passed the House. Wilson urged "their prompt passage" before the Senate.[21] But the Senate delayed, through filibusters not connected with the bills or for other reasons. Throughout his "preparedness campaign" speeches the President stressed the mobilization of resources as a necessary basis for preparedness.[22] These bills provided for the disposition of coal, phosphate, sodium, oil and oil shale lands to citizens of the United States. Particular mention was made of the fact that citizens of other countries "shall have no interest in a lease acquired under this Act."[23] A further restriction retained for the United States the right to all helium produced from such lands, helium being made so necessary in war with the development of aviation. These bills, as passed by Congress, opened the lands in areas sufficient to make the investment of capital profitable; they cut the tap root of monopoly.

The oil and gas lands came in for extensive treatment. Secretary Daniels of the Navy was relentless in his advocacy of large oil reserves for the Navy. The invention of the Diesel engine had made it possible to carry one of our largest ships around the world on the supply of oil loaded at the home port. In most cases, the new ships authorized by the Naval Act of 1916 were to be oil-burning. Oil reserves were, consequently, a part of the country's future national defense equipment. In the previous administration when a possible shortage threatened in the

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[20] *Rev. of Rev.*, Jan., 1919, 77 et seq. For the cooperation of government bureaus with private research bureaus in developing new processes, see *World's Work*, Apr. 1916, 656. By statute Congress allowed the miner prospector credit for his army and navy service on his claims, relieved him of all improvements during the time and granted him an extension of time for the fulfillment of his claims. 40 *Stat. at L.*, 243. For a discussion of the potash industry in 1920, see *Annual Report*, Sec'y Agriculture, 1920, 298–99.

[21] *New Dem.*, I, 218.

[22] See address at Kansas City, Feb. 2, 1916, New Dem., II, 101.

[23] 41 *Stat. at L.*, 438.

future, Taft withdrew over three million acres in California and Wyoming to constitute government oil reserves.[24] Daniels vigorously attacked those who sought illegally, as he thought, to set up claims within these reserves.[25]

The Leasing Law of 1920, supported by Lane and Daniels, was regarded as a victory for the conservation forces.[26] Under the Law "proved" oil lands on the public domain may be leased by the Secretary of the Interior in tracts not to exceed 640 acres. Other lands were opened to entry in a limited prospecting area, with a twenty-year lease to follow if oil was discovered. In both cases royalty and rental provisions were attached and government supervision was provided for to prevent undue waste. No person, thus said the law, could hold more than three such leases in any one State.

By the close of the war the consumption of oil in this country had increased so enormously that our domestic supply was insufficient and we had become importers. Secretary Lane in his *Annual Report* for 1919 emphasized the importance of securing a large foreign supply.[27] An investigating board set up by him recommended that our citizens be encouraged to acquire and develop oil holdings in foreign countries; that our government seek to remove all discriminations against our citizens acquiring such holdings; and the establishment of a permanent petroleum administration. The State Department made vigorous protests to Mexico and England against their discriminatory acts[28] at home and in other parts of the world. While the Department did not seek concessions for American companies, it supported the attempts of firms, such as the Standard Oil and the Sinclair interests, to secure such concessions from foreign countries, as a result of which it became involved in a number of con-

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[24] *Annual Report*, Sec'y Int. 1915, I, 16–18. The future disposition of these lands under the Harding administration led to the infamous Teapot Dome scandal. Ise, John, *The United States Oil Policy*, Chap. XXV.

[25] N. Y. *Times*, Jan. 1, 1917.

[26] Ise, *op. cit.*, 352 et seq.

[27] *Annual Report*, Sec'y Int., 1919, I, 22–25.

[28] Ise, *op. cit.*, 473–78; James, H. G. and Martin, P. A. *The Republics of Latin America*, 359 et seq. The President sent the Senate a report of the United States interest in the world race for oil prepared by the State Department. *Cong. Rec.* 66 Cong., 2 Ses., vol. 59–7146 et seq. See Federal Trade Commission *Report on the Advance in Price of Petroleum Products*, 1920.

tests over the question of exclusive concessions. The United States accused Great Britain of shutting the door in the face of American concession hunters in Mesopotamia, and in the British colonies. There was a controversy with Holland over the Djambi fields in the East Indies. The routine practice of the State Department demanded equal opportunities for American bidders; but that was not the practice of Old-World diplomacy. In the case where State-operated companies entered the field for concessions, with the vast financial support back of them, private firms were at an extreme disadvantage.[29]

Secretary Payne, who succeeded Secretary Lane in the Interior Department, approved the Phelan bill in the Senate in 1920, which proposed to form a U. S. Oil Corporation for the exploitation of foreign oil sources.[30] The nine directors of this Corporation were to be appointed by the President; the capital to be subscribed privately. he bill was given attention in business circles, but not in Congress.

A constructive piece of legislation of a different nature was the Federal Water Power Act of 1920. The 1912 census showed that 9 per cent of the maximum power available for economic development had been undertaken, and less than 2 per cent of the total which the streams could supply.[31] Even this meager development was ridden by monopoly. The chairman of the House Public Lands Committee pointed out in 1914 that eighteen corporations owned 51 per cent of such power development in this country, and there was evidence that, through interlocking directorates, one dominating monopoly controlled.[32] The "economic waste" caused by this failure to harness our waters was a matter of concern for the administration.

Such development prior to the Wilson period was regulated

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[29] Buell, R. L., *International Relations*, 418–19; Davenport, E. H. and Cooke, S. R. *The Oil Trusts and Anglo-American Relations*, chap. XIX. In 1913 Wilson had opposed concessionary interests in Latin America, attributing to them the cause of unstable conditions throughout that hemisphere. See his Mobile speech announcing his Latin American policy, *New Dem.*, I, 64–70. When oil became essential for the nation, he approved of concessions abroad.

[30] *S. 4396*, 66 Cong., 2 Ses.; Ise, *op. cit.*, 481–82.

[31] *Annual Report*, Sec'y Int., I, 1919, 16.

[32] *Sen. Doc.*, 316 pt. I, 64 Cong., 1 Ses. See Federal and State Water Power Commissions in *Amer. Pol. Sci. Rev.*, Nov., 1922, 647.

by Acts of Congress passed in 1906 and 1910, which made the Secretary of War and the Chief of Engineers responsible for leasing the sites.[33] The weakness in these Acts was "that the United States may revoke any rights" conferred, whenever necessary for the public use, paying a reasonable value for any plant thus confiscated. Under such conditions capital was loathe to invest. Moreover, Senator Shields urged that the State laws were deterrents to such developments. In regard to regulation, he declared the States, with the exception of Alabama, took practically the same attitude as in the early days of the nation.[34]

The "Dam bills" were discussed with the President in 1914 before their introduction into Congress. He was desirous of having the "revocable" clause struck out and monopoly prevented. The Senate bill, sponsored by Senator Shields, made the Secretary of War the government's agent in granting leases up to fifty years, renewable at the government's discretion, with the "revocable" clause omitted. The House bill proposed to make each permit a separate act of Congress, and provided for the government's capture of the property at the expiration of the lease. No progress was made towards conciliating differences. When the measures were brought up again in the 64th Congress, Wilson, in his room at the Capitol, urged the conferees "to get together" as the legislation should be passed before the War closed to permit the investment of capital. Personally he expressed no preference for either bill.[35] The problem claimed his attention again when calling for war against Austria-Hungary.[36]

The Federal Water Power Act, as finally passed in 1920, embodied the best elements of the Shields proposals.[37] It set up a Federal Commission consisting of the Secretaries of War,

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[33] 34 *Stat. at L.*, 386; 36 *Stat. at L.*, 593.

[34] Senator Shields in N. Y. *Times*, Nov. 12, 1916.

[35] *Cong. Rec.*, 64 Cong., 2 Ses., vol. 54, 1662. The National Conservation Congress favored the Shields bill. N. Y. *Times*, May 3, 1916.

[36] *War and Peace*, I, 137.

[37] 41 *Stat. at L.*, 1063. When the House took up the discussion of the bill as it came from the Senate, the President disapproved of the proposal to pay "net investment" for projects recaptured for public ownership. He asked that the bill read "fair value, not exceeding original cost," which recommendation Congress accepted. N. Y. *Times*, Aug. 30, 1918.

Navy and the Interior, with authority to grant prospecting permits and leases up to fifty years, but without authority to revoke a lease except for non-fulfillment of terms. Provision was made for lease renewals and government operation of established projects. The Commission was directed to cooperate with the States and other federal agencies.

Among important measures affecting the Public Lands sponsored by the Wilson administration were those relating to the "Stock Grazing Homestead", to Reclamation, and the Mondell bill providing farms on easy payment terms for those serving in the World War and on the Mexican border.

The Stock Grazing Act of 1916 opened certain lands designated by the Secretary of the Interior as "stock grazing" to stockmen in blocks of 640 acres for a ten-year period with the right to "fence in" such an area. On such lands the government retained all mineral rights, unless otherwise allotted.[38] The Act was an example of "positive conservation as distinguished from negative reservation" to which Wilson referred in 1912.

The Carey Reclamation Act of 1902 was amended in 1914 in the interest of the entryman. The original Act allowed the pioneer farmer ten years in which to pay off his debts to the government incident to establishing an irrigation system on his land. The latter Act extended the period to twenty years.[39] While the Act aided the entryman, it imposed a serious limitation on the power which had hitherto been vested in the Secre-

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[38] 41 *Stat. at L.*, 287. This Act had the approval of the Interior Department. See "Public Grazing Lands: the Range Homestead"—D. B. Heard, President of the American Livestock Association, in *Rev. of Rev.*, Sept., 1915, 333. In 1915–19 increases were made in the grazing fees which produced, roughly, some three times the cost of grazing administration. *Annual Report*, Sec'y Agriculture, 1920, 234–38.

[39] For progress of irrigation under Wilson see *Annual Report*, Sec'y Int., 1920, 67.

| | 1913 | 1919 |
|---|---|---|
| Irrigable acreage | 1,181,362 | 1,636,159 |
| Irrigated acreage | 694,142 | 1,187,255 |
| Cropped Acres | 637,227 | 1,113,469 |
| Crop Value | $15,676,411 | $88,974,137 |

The above figures include only those areas on reclamation projects proper which are covered by crop statistics, and do not include an almost equally large area under the Reclamation Service not reported on. Total crop value for both areas for 1919 estimated at $140,000,000.

tary of the Interior. After July 1, 1915, the power of appropriating money from the Reclamation Fund was taken away from the Secretary and placed in the hands of Congress. Likewise, Congress was given control in the selection of new projects for development.

Irrigation work was stimulated during the War by the President's appeal for increased acreage for food production. Such projects also offered opportunities for creating a yeomanry out of the returned soldiers.

What to do with the returning soldier has been a problem since the days of Caesar. In our Civil War this was partially solved by the passage of the Homestead Act in 1862. Secretary Lane was so impressed with the part played by Civil War veterans who took up homesteads in the development of the West that he recommended that the same principle be applied to World War Veterans.[40]

To provide employment for returned soldiers and farms for those interested, Lane developed a program for the increased use of our land. The program included the building of suburban homes for wage earners, the reclamation of desert land in the Southwest, swamp lands in the South, the cut-over acres of the Northwest, together with the improvement of abandoned farms in New England. Areas thus recovered, or made tillable, were to be organized into farm communities for interested veterans, who were to make small initial payments and settle the remainder on easy terms. Veterans who were employed in this work of recovery were to be paid by the government.

Wilson heartily endorsed Lane's program in his message to the first session of the 66th Congress, and he returned to it a year later with a full endorsement.[41] Lane reported that 150,000 applications had been made for opportunities for employment and home-making up to the time of preparing his *Annual Report* for 1919.[42]

The policy of leasing small areas to individuals and corporations has advantages and disadvantages. The larger the num-

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[40] For Lane's letter to Wilson see *Annual Report*, Sec'y. Int., 1918, 24–28.
[41] *War and Peace*, I, 315–16; II, 432.
[42] *Annual Report*, Sec'y Int., 1919, I, 31.

ber of grants made under this system the greater the number of citizens brought into direct contact with the government; there springs up a closer relationship between the government and the governed. This is the essence of an awakened Democracy. Furthermore, investors with limited holdings and capital prove less burdensome to supervise and less likely to command means to defraud the government. It is questionable whether smaller holdings make for greater competition and efficiency, as Wilson contended. If such were the case, an obvious disadvantage arises. Many today lay the root of our industrial ills to the Sherman Law and the Clayton Act, which curtailed monopoly and indirectly stimulated competition and led to over-production. These same men would sweep aside restraints upon monopoly and allow industries full power to combine, if only for a limited period. In the long run, the law of supply and demand would have freer play under the Wilson system, and produce a more stabilized industrial field.

In respect to the conservation of our forests, Wilson, in the main, accepted and advanced the policies of Roosevelt and Taft. Ever since Roosevelt's White House Conference in 1907, grave concern had been expressed over the depletion of our forest areas in the East, the timber of which was rapidly being exhausted. More serious still, perhaps, was the danger to watersheds and the navigability of streams, due to the lack of forests. In March, 1911, Congress passed the "Weeks Law" to enable the States to cooperate among themselves or with the federal government for the "acquisition of lands to protect navigable streams."[43] Congress in 1916 appropriated three million dollars, expendable through 1917 and 1918, to continue the purchase of lands in the East suitable for re-forestration, also for the protection of watersheds.[44] Almost a million and a half acres had been approved for purchase at an average cost of $5.22 per acre, the Secretary of Agriculture reported in 1916.

An Act to provide better administration in National Forests gave authority for the exchange of private lands within such

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[43] 36 *Stat. at L.*, 961.
[44] *Annual Report*, Sec'y Agriculture, 1916, 40.

Forests which were so interlocked with government lands as to embarrass protection and administration.[45] Such "alienated lands", after exchanges had been made, included more than 24,000,000 acres in 1920. Such exchanges, wrote the Secretary of Agriculture, are to be made on the basis of "equal value" and are manifestly in the interest of permanent development of the national property.[46]

The policy of consolidating the National Forests in the West and buying suitable forest areas in the East had the expressed approval of Wilson. A measure which passed both Houses of Congress proposed to open the Forests to the acquisition of lands by towns or cities for park and cemetery purposes. The President vetoed the measure, declaring that the "most serious objection" to the bill was that "it subjects the National Forests to disposition under a general grant."[47] He was distinctly opposed to alienating permanently such lands in the West, while "provision is being made for purchase by the government of forested lands in the East." While opposed to permanent alienation, Wilson was favorable to the principle of leasing certain sections of the National Forests for recreational purposes; also for the establishment of summer residences and hotels under proper government supervision.[48] Such leases were limited to five acres and for not longer than thirty years. The principle applied here coincided with Wilson's general theory for the use of our natural resources, i. e., "positive conservation" as opposed to "negative reservation". The demands for recreational centers within specific Forests became so great that the Secretary of Agriculture predicted in 1920 that the revenues derived from such establishments would pay the entire cost of protection and administration therein.[49] The total income from this source ranked fourth in economic importance, following timber, forage and water power.

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[45] 38 *Stat. at L.*, 345, passed April, 1914.
[46] *Annual Report*, Sec'y Agriculture, 1916, 41.
[47] *Cong. Rec.*, 64 Cong., 1 Ses., vol. 53, 12, 994–95. He vetoed a kindred proposal in 1920: *Ibid.*, 66 Cong., 3 Ses., vol. 60, 2480.
[48] 38 *Stat. at L.*, 49, Act of June 23, 1913. 38 *Stat. at L.*, 554.
[49] *Annual Report*, Sec'y Agriculture, 1920, 239.

Important factors in the maintenance of the Forests were the construction of roads, fire prevention and the application of modern forest science. In 1916, Congress passed the Federal Aid Road Act, with an appropriation of $10,000,000 to become available at the rate of a million a year, for the construction of roads and trails within the National Forests, on a cooperative basis with the local governments which would benefit thereby.[50] Three years later an additional nine million dollars were granted and authority given the Secretary of Agriculture to construct roads he deemed necessary independently of local cooperation.[51] The United States was to be re-imbursed for its expenditure in this direction from its share of the yearly revenues accruing from the National Forests. The selection of building projects devolved upon the Forest Service, while the work of construction was undertaken by the Office of Public Roads and Rural Engineering. By 1920 the total mileage completed was 5,713 miles.[52] Such roads opened agricultural regions hitherto practically shut off from the markets, stimulated mining interest, facilitated the removal of timber and shortened the distances between localities.

Certainly road construction proved an important factor in the prevention and fighting of forest fires. The ravages of fires in 1910 had awakened Congress to look to the better protection of our Forests. The "Weeks Law" of 1911, section 2, authorized the federal government to undertake fire protection in conjunction with the States, the two sharing equally the expense.[53] The exigencies of prevention were so urgent that 22 States were cooperating with the federal government by 1916. Congress made a small yearly appropriation to carry on this work; however, as fires were emergencies which could not be provided for, authority was given the Secretary of Agriculture in 1915 to draw on his funds available for general purposes and to seek reimbursement through a Deficiency Appropriation.[54] The rav-

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[50] 39 *Stat. at L.*, 355.
[51] 40 *Stat. at L.*, 1189.
[52] *Annual Report*, Sec'y Agriculture, 1920, 243.
[53] *Annual Report*, Sec'y Agriculture, 1916, 179. Seventy-eight fire fighters lost their lives, and in the National Forests alone, more than $25,000,000 in timber was burned—some fifty times the normal.
[54] *Ibid.*, 1920, 229.

ages of fires in the National Forests reached appalling figures in 1919, burning over more than two million acres with an estimated damage of $5,000,000. A "Branch of Public Relations" was organized in May, 1920, in the Department of Agriculture, to cooperate with the Western States in their observance of Fire Protection Week and to continue to arouse public interest in both the protection and use of the Forests. Wilson, by proclamation, set aside "October 9, 1920 as Fire Prevention day", enjoining the States to arouse their citizens to the "unnecessary fire waste" and the need of collective effort to halt such waste.[55] In 1920 cooperation with the War Department was established for airplane forest patrol during the fire season.

Wilson appealed to Congress in 1919 for further action by the States and federal government to preserve and develop our forest resources "especially through the practice of better forestry methods . . . and the extension of our privately owned forests."[56] The wholesale cutting of timber during the war called for increased appropriations for reforestration and the establishment of additional experiment stations with a view to laying solid foundations of forestry for the future. Congress, practicing economy after the war, found here a fair field for retrenchment. This was short-sighted economy.

The administration frequently appealed to Congress to establish a definite policy regarding the National Forests and Parks. It was pointed out that parks were advocated in Congress and by groups of citizens where the land should remain as forests, and *vice versa*.[57] Four years later, 1920, the appeal was repeated, but aroused no legislative response in Congress. A guiding principle was suggested in 1920, however, which ran as follows: "Areas whose dominant public values are economic do not belong in parks . . . On the other hand, the economic service rendered by the Forests should be no bar to the administration of small areas . . . within them for public recreational purposes."[58]

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[55] N. Y. *Times*, Sept. 8, 1920.
[56] *War and Peace*, II, 433–34.
[57] *Annual Report*, Sec'y Agriculture, 1916, 43–44.
[58] *Ibid.*, 1920, 47–48.

To summarize the chapter: The nation is indebted to Roosevelt for arousing public sentiment against the predatory and extravagant use of our natural resources. He led the way in passing legislation to protect such resources through their withdrawal from grant until their proper value could be determined. Taft continued the withdrawal process until proper classification could be made and statutes could be passed to regulate the use of such lands. But Secretary Ballinger of the Interior Department wrote in 1912 that: "The difficulty is, once withdrawn and classified, such lands cannot be restored to entry under laws which will promote development, prevent mere exploitation and protect the public interest."

Wilson's contribution in this field was eminently far-seeing. His policy was "positive conservation" as opposed to "negative reservation". Such resources, he declared, were the hope of the nation for the future, and consequently their waste should be prevented. The conservation statutes of his administrations leased lands containing resources to individuals or corporations in areas sufficient to make operation profitable, at the same time making monopoly impossible. The small investor could thus enter the field. Competition would make operation more efficient, he contended. At the same time the harnessing of our streams under attractive leasing terms would provide cheap power and make possible the husbanding of our resources through the remunerative manufacture of substitutes. He endorsed a policy of selling land to returned soldiers, thus attempting to provide a system of yeomanry such as Washington had attempted to do after the Revolution and as Lincoln had done in the Homestead Act during the Civil War. Wilson sponsored the policy of purchasing suitable lands to build up, scientifically, forest areas in the East. He resisted all attempts to open forest areas in the West to general grant which would destroy the proper use of the public domain. Through adequate fire prevention systems, in cooperation with the States, and the construction of roads within such forest areas, he hoped to bequeath a valuable heritage of forest reserves to posterity.

## IV

### National Defense

Wilson was not a militarist. At heart and by instinct he was a pacifist.[1] Nevertheless, led by his rational processes he brought this country into its most expansive war.

His conception of militarism was clear-cut. "Militarism does not consist in the existence of an army, not even . . . of a very great army," he told the West Point cadets.[2] He declared it to be "a spirit . . . a point of view . . . a purpose. The purpose of militarism is to use armies for aggression. Just as long as America is America," he added, "that spirit and point of view is impossible with us."[3]

His pacifistic tendencies came from forebears who had preached for long years the Gospel of Peace. Aged four at the outbreak of the Civil War, he retained until the end of his life vivid recollections of the horrors of war. His imaginative youth was lived in communities suffering from the equal, if not worse, tribulations of reconstruction.[4] The blessings of peace were thus burned in at an early age. This hatred of war never left him. On the night before calling for war against Germany, he summoned Frank I. Cobb of the *World* for a conference at the White House. After canvassing the situation, the President broke emotionally and declared, "If there were anything else in the world to do I would do it." His private secretary has told of his shrinkage from the call to arms.[5] Seven months after the United States entered the war Wilson declared publicly: "What I am opposed to is not the feeling of the pacifists, but their stupidity. *My heart is with*

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[1] For discussion, see *Infra.*, 45–46.
[2] *New Dem.*, II, 203.
[3] Regarding aggression he declared to the Southern Commercial Congress that the U. S. would never seek another foot of territory.
[4] Baker, R. S., *Life and Letters of Wilson*, I, 40–55.
[5] Tumulty, *op. cit.*, 256.

*them*, but my mind has a contempt for them. I want peace, but I know how to get it, and they do not."[6]

This distinction between mind and heart seems to furnish the key to his defense policy. When he came to the Presidency, his ideas of defense, supposedly, agreed with our established policy. There is no evidence in his writings prior to entering the presidency to show that he held it to be the duty of democracies to maintain large fighting forces for the purpose of serving the Goddess of Peace in the world.[7] However, he declared in 1916 that if we had been well prepared we might have dictated peace.[8] In his *The State* there is no indication that the concept of war as a special phase of politics ever entered his mind. He rarely refers to military institutions when discussing historic States.[9] His 1912 campaign speeches were concerned largely with economic problems and left national defense to shift for itself,[10] as did his acceptance speech and the first Inaugural address.

The defense policy of the administration was dictated by world events. There was a distinct departure from Democratic policy, caused by circumstance. Our standing army on June 30, 1914, numbered 92,482, from which there was an actual mobile fighting force of 30,000, about twice the size of New York City's police force.[11] The outbreak of the war in Europe led certain Congressmen to look upon the paucity of our defenses as a national disgrace, as well as a national neglect. Representative A. P. Gard-

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[6] *War and Peace*, I, 120 (Italics mine.) Some writers contend that the only way Wilson could reconcile his inner feelings with the thought of war was that the war would lead to an institution to prevent future conflicts. Wells, Wells, *Wilson, the Unknown;* Lippman, W., *Men of Destiny*, 120.

[7] For a contrary opinion see *Annual Report*, Sec'y War, 1914, I, 6: "By neglecting and refusing to provide ourselves with the necessary means of self-protection and self-defense, we could not hasten or in any way favorably influence the ultimate results we desire in this respect" (i.e. disarmament, courts of arbitration, etc.); vide Palmer, J. M. *Washington-Lincoln-Wilson*, 348; Shaw, Albert in *Rev. of Rev.*, Nov., 1920, 452.

[8] *New Dem.*, II, 185.

[9] Palmer, J. M., *op. cit.* 351. Wilson seems to have receded from this position early in the war, first in respect to Mexico and then in respect to Germany. After we entered the war, in his speeches, he separated the people in Germany from the military power. Likewise he became the advocate of self-determination. Wilson's *Constitutional Government in the United States* does not raise the defense question.

[10] *The New Freedom*—Wilson's 1912 campaign speeches, ed. by W. B. Hale.

[11] *Annual Report*, Sec'y War, 1914, I, 7.

ner of Massachusetts introduced a resolution calling for the establishment of a special committee to investigate the adequacy of our defenses.[12] While calling for this investigation he delivered a sharp attack upon Germany. Senator Lodge brought a similar resolution before the Upper House. The President pointed out that he was favorable to the fullest inquiry by Congressional committees charged with defense matters, but he was opposed to setting up a special committee for the purpose. Furthermore, he indicated the untimeliness of the inquiry because of the possible unfavorable impression abroad, particularly in view of Representative Gardner's attack on Germany.[13]

In his annual message to Congress in December, 1914, Wilson outlined his attitude towards national defense. We have never had a large standing army, he declared. Dependence in time of peril "in the future as in the past" must not be upon a standing army, but upon "a citizenry trained and accustomed to arms." It would be "right enough" to provide a system by which volunteers might be made familiar with the "use of modern arms, the rudiments of drill, and maneuvre . . . etc." The recommendation to strengthen the National Guard was added as a corollary. To go further, he declared, would be to show "that we had lost our self-possession."[14]

One of Wilson's principal reasons for refusing to resort to a policy of heavy armaments was the opportunity of this country, as a neutral, to "counsel and obtain peace in the world . . . It was the time above all others when we should wish to keep our self-possession, our influence by preserving our ancient principles of action."[15] Roosevelt and Wood already advocated far-flung preparedness.[16] While the desire to mediate in Europe

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[12] N. Y. *Times*, Oct. 17, 1914. Statements by the Army and Navy Leagues criticised the administration for its failure to make adequate defense preparation. *Ibid.*, Dec. 6, 1914.

[13] N. Y. *Times*, Dec. 8, 1914.

[14] *New Dem.* I, 223–28. Not every member of his cabinet shared his defense views. See Houston, *op. cit.*, I, 127. House and Wilson differed on this problem: Seymour, Chas. *Intimate Papers of Colonel House*, prefatory note to volume I, pp. VII-VIII.

[15] *New Dem.* I, 223–28.

[16] Roosevelt, T., *Fear God and Take Your Own Part;* Hagedorn, Hermann, *Leonard Wood*, II, chap. VII-IX.

prevented our preparations from gaining early momentum, Wilson was here punctiliously following our national traditions.

Attacks by the warring powers upon neutral rights eventually caused Wilson to look to our defenses. During 1915 we expressed to England "our growing concern" over the detention of American vessels in British ports, the "deceptive use" of our flag and the censorship of our mails. Similarly, there were protests to Germany for sinking neutral vessels in the war area, and on the sinking of the *Lusitania* in May, 1915, Wilson issued the threat of "strict accountability."[17] The series of notes which followed the *Lusitania* disaster wrung a promise from Germany to respect American lives and property. This series called forth the pungent remark from Mr. Root that "You shouldn't shake your fist at a man and then shake your finger at him."[18] This "waging peace", as Roosevelt dubbed it, by Wilson and Lansing, was continued until our entry into the war. In February, 1917, Wilson expressed the opinion in a cabinet meeting that the neutral forces might be coordinated to protect their own rights, but was persuaded that an effort to do this publicly as he proposed, would put some of the smaller powers in a delicate position.[19]

These attacks upon neutral rights affected the President's attitude toward defense. From the winter of 1914 through the spring and summer of 1915 the defense idea had been taking hold of him. He explained his changed attitude by saying: "We insist upon security in prosecuting our self-chosen lines of national development," and because of relations with the other countries in this hemisphere, "we have deemed it important that our neighbors should be as free from all outside domination as that we ourselves should be."[20] He authorized Secretary Daniels to

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[17] See *Foreign Relations of the U. S.*, 1914–17; Robinson, E. E. and West, V. J. *The Foreign Policy of Woodrow Wilson*, 44–130; Gerard, J. W. *My Four Years in Germany*, chap. XII and XVII. Hendrick, B. J., *The Life and Letters of Walter H. Page*, vol. I, chap. XII; vol. II, chap, XIV–XV.

[18] Wister, O., *Roosevelt, the Story of a Friendship*, 344.

[19] *The Letters of Franklin K. Lane* (ed. by his wife), 233.

[20] Statements similar to this run through his "preparedness tour" speeches. *New Dem.*, II, 1–121.

appeal to Congress for a five-year naval building program,[21] and he endorsed the army program of Secretary Garrison.[22] In early September, 1915, he conferred with Bernard Baruch on the formation of an informal business men's committee to mobilize the industries of the country, such a committee as Germany had prepared to function when the war broke out.[23] A civilian group of scientists had been previously created by Secretary Daniels to advise the Navy Department. It was before this group on October 6th, that the President showed he had crossed the bridge from the attitude taken in the previous December. If there had been hesitation apparent in December, it had now been dispelled. "I think the whole nation is convinced," to quote Wilson, "that we ought to be prepared, not for war, but for defense, and very adequately prepared."[24] Then followed the appeal to Congress and the country for his defense plans, for which he asked "the hearty support of the country."[25]

In his annual message to Congress (1915) the President declared that we would not maintain a standing army except for uses as necessary in peace as in war. He proposed a moderate increase in the Regular Army, under-manned in peace times, he contended, supplemented by a volunteer federal force of 400,000 to be recruited in increments of 133,000 a year. Such volunteers were to receive annual training periods for three years and then be furloughed to the reserve. They were to be called to the colors only in case of war or imminence thereof.[26] The National Guard, enlarged and enriched by federal aid, was to remain under State jurisdiction. It was the President's opinion, which his Secretary of War shared, that the Guard could not be made a national

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[21] *Annual Report*, Sec'y Navy, 1915, I; Tumulty, *op. cit.*, 263.

[22] *New Dem.*, I, 387. Tumulty, *op. cit.*, 262–63. A circular letter had been sent out to private manufacturers of munitions, inquiring about their maximum productive capacity. N. Y. *Times*, Aug. 12, 1915.

[23] N. Y. *Times*, Sept. 9, 1915.

[24] *New Dem.* I, 373. See Green, F. V. *The Present Military Situation in the United States;* Maxim, Hiram, *Defenseless America*, chap. V-VI.

[25] *New Dem.* I, 390. For a discussion of the apparent indifference of the West to the European war and the needs of national defense see Houston, *op. cit.* I, 132; Lawrence, *op. cit.*, 167–68; Brooks, N. E. C. *Woodrow Wilson as President*, chap. XVII-XX.

[26] *Annual Report*, Sec'y War, 1915, I, 20 et seq.

reserve under national authority.[27] Old coast defenses were to be overhauled, and new ones established. As a matter of external defense, the strategically situated Virgin Islands were purchased from Denmark, to prevent their coming into the possession of some power unfriendly to the United States. In concluding his Army proposals to Congress he declared that such preparations for defense "seem to me the essential first steps and for the present sufficient."[28]

Turning to the Navy as an arm of the national defense he said: "We have always looked to the Navy of the country as our first and chief line of defense."[29] While he believed it one of the most efficient navies in the world, in strength he admitted "it ranks fourth, not second."[30] Referring to the great defense area under the custody of the Navy he declared in January, 1916, in St. Louis: "In my opinion, it ought to be the most adequate navy in the world."[31] As a serious situation had arisen he determined to put aside the "piece-meal" methods by which our Navy had been built up and lay down a program, which he hoped European statesmen would not look upon as a menace to their security. Wilson rejoiced that we had not hitherto entered into the naval rivalry which had engulfed certain European nations.[32]

In his five-year building program were included ten battle-

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[27] *New Dem.* II, 14. Attorney Gen. Wickersham in Taft's Cabinet shared this view also. *Cong. Rec.*, 65 Cong., 1 Ses., Vol. 55, 3851–52. For a discussion of Garrison's Continental Army of federal volunteers, see *Annual Report* Sec'y War, 1915, I, 23–26.

[28] *New Dem.* I, 412. For purchase of Virgin Islands see U. S. *For. Rel.*, 1917, 457–707.

[29] *New Dem.* I, 414. For a criticism of this statement based on research, see Palmer, J. M., *op. cit.* 350–52. The President in his Chicago address in January 1916 showed that there had been no neglect in the maintenance and upbuilding of the Navy, citing figures to demonstrate its increase. *New Dem.* II, 62.

[30] *New Dem.* II, 40. See Fiske, B.A. *The Navy as a Fighting Machine.*

[31] *New Dem.* II, 114.

[32] For the naval rivalry of England and Germany see Dickinson, G. L. *International Anarchy*, chap. XV; Haldane, R. B. *Before the War.* An attempt to reach a settlement on the naval question was made in 1912 in the Haldane mission to Germany. See *Die Grosse Politik*, Vol. 31, 95–253; *British Documents on the Origin of the War*, Vol. VI, 577–762. Sec'y Daniels had urged an international conference on naval building in each *Annual Report* since 1913. See *Report*, 1913, 9.

ships, six battle cruisers, fifty destroyers, one hundred submarines.[33] The acceptance of the plan by Congress meant that in 1921 our Navy would consist of fifty-two battleships (both classes), six battle cruisers, one hundred and eight submarines and other craft in proportion. Provision was made for increased personnel to man the ships and for the establishment of government plants to manufacture implements of war.[34]

Congress enacted the essential features of these recommendations into law, changing the five-year program into a three-year one. This was the Naval Act of 1916.[35]

Armies and instruments of war were only part of the program to provide self-sufficiency and security in all its aspects. The President proposed that Congress prepare the way for the "purchase and construction of ships to be owned and directed by the government." As such vessels were to be of the commerce-carrying type they would be an asset to the Navy in time of war. Furthermore, the temporary slowing up of commerce because of the war demonstrated, to quote Wilson, that "our independence is provincial and is only on land and within our borders."[36]

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[33] *New Dem.* I, 414–15. For details of the five-year program see *Annual Report*, Sec'y Navy, 1915, I, 1–9. A building program had been recommended by the General Board of the Navy in 1903, to be completed by 1920. The criticism was made during the House investigation of the Navy Department after the war that our weakness in anti-submarine craft was due to Wilson's neutrality idea in 1916. When the 1916 program was passed an abundance of battle ships was provided for, the first of which could not have been launched prior to 1919. To have built anti-submarine craft, according to Wilson, would have shown Germany that we were arming against her. *World's Work*, Aug., 1920, 331.

[34] Congress appropriated 11 millions in 1916 to establish an armor plant, which was erected in 1921 at Charleston, W. Va. A projectile plant was built in 1919. *Annual Report*, Sec'y Navy, 1920, I, 72–73.

[35] See 39 *Stat. at L.*, 589.

[36] *New Dem.* I, 416. In building up the merchant marine Wilson declared: "I am not so much interested in the particulars of the program as I am in taking immediate advantage of the great opportunity to expand American commerce." Sec'y Daniels pointed out that we bought 102 auxiliary ships in the Spanish-American war for $1,736,922 and sold them for $353,785.04. A stout opposition developed in the Senate against putting the government into the shipping business in competition with private operators. See Root, Elihu *Addresses on International Subjects*, address on "The Ship Purchase Bill;" "The Opposition and the Shipping Bill", by Senator Burton before the National Chamber of Commerce, in *Sen. Doc.* 949, 63 Cong., 3 Ses. Favorable to the passage of the bill see address of W. G. McAdoo at Chicago in *Sen. Doc.* 713, 63 Cong., 3 Ses. For a general discussion of the shipbuilding industry see Kelley, R. W. and Allen, F. J. *The Shipbuilding Industry.*

When the sentiment of the House of Representatives crystallized on the Army program it was found that the Military Affairs Committee opposed the Continental Army plan. They favored the development of the National Guard as the foundation of our increased defenses, in the face of a powerful National Guard lobby.[37] Wilson at first urged his constitutional objections against drawing the Guard into federal service, but withdrew them when his Attorney General endorsed the plan. He recommended the immediate enactment of a statute embodying this plan. When his Continental Army plan was shelved, Secretary Garrison resigned.[38] The President, although regretfully accepting the resignation, replied that the case in point was such a vital question of policy that he thought no man could be dogmatic on details. While the Hay Plan for the development of the Guard had its weakness, it had the virtue at the time of mustering Congressional support. Time was then the essential.

The National Defense Act of June 3, 1916—of which the Hay Plan formed the basis—amended the Army Act of 1901 which fixed the minimum strength at 100,000, and placed the limit at 175,000 by 1921.[39] It also provided for the federalization of the National Guard. Wilson approved the Act after Congress had removed an inadvisable clause relating to the exemption of retired army officers (who re-entered the service) from certain disciplinary measures.[40]

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[37] Palmer, J. M., *op. cit.*, 316–17. On the Guard lobby, see article by ex-Sec'y War H. L. Stimson in N. Y. *Times*, Apr. 10, 1916. To secure the acceptance in principle, at least, of his defense policy, Wilson discussed the matter with the minority leaders in Congress, who declared they would support the administration if the policy was not made a partisan issue. Wilson announced that he would not favor the Democratic caucus making a party issue of the bill. N. Y. *Times*, Nov. 12, Dec. 9, 1915.

[38] On the resignation of Garrison, see Redfield, W. *With Cabinet and Congress*, 80–81; Houston, *op. cit.*, I, 130–131. For Roosevelt's criticism of Wilson's defense program see Wells, W., *op. cit.*, 208. Wilson declared before the Manhattan Club in New York City on Nov. 4, 1915: "I am not so much interested in programs as I am in safeguarding . . . the good faith and honor of the country." *New Dem.* I, 389–90.

[39] For an outline of the Act see *Annual Report*, Sec'y War, 1919, I, 53 et seq. See "Status of the Militia under the Hay Bill" in *Harvard Law Rev.*, May, 1917.

[40] *Cong. Rec.*, 64 Cong., 1 Ses., vol. 53, 12844. For Wilson's plan to raise the money necessary to meet the additional expenditures see *New Dem.* I, 421.

The President had what would seem to be a prudent financial program for bearing the cost of preparedness. It was based on the "pay-as-we-go" plan, the money being raised by internal taxation. (*New Dem.* I, 421.) The country was in a prosperous condition, due largely to war orders from Europe. Borrowing for permanent improvements to be enjoyed by future generations is constructive finance; but borrowing money for measures beneficial to a single generation, i. e., the dole, is quite the opposite. The case of preparedness on the Wilson plan cannot, however, be pushed too far. Preparedness becomes a benefit to future generations in the sense that anything wisely done is in the interest of posterity. His plan for financing the War may be anticipated at this point, the general principle being the same as in the matter of preparedness. He declared that such credits should be "sustained . . . so far as they can be equitably sustained by the present generation, by well conceived taxation." He was apparently convinced of the unfairness of exacting payments from future generations which had not contracted the debts. The Allies found the Reparations problem increasingly difficult of solution because of the indefinite period of payments. Human nature rebels against the unjust burden of transmitted debts.

Nine months were to elapse before the United States resorted to armed neutrality and to war. But the inevitable trend of events in Europe was foreshadowed. The War Department busied itself with the preparation for a nation-wide army for which a basis had been laid in a *Report* published by the Department in 1912, and which had only to be enlarged to meet the emergency.[41] Wilson's defense tour of January, 1916, does not

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[41] See *Report of the Organization of the Land Forces of the United States* pub. in 1912. For a discussion of the general military policy of the United States see *Military Policy of the United States*, Emory Upton, pub. by the War Dep't., 1904. When it had proved "impossible to safeguard our neutral rights by diplomatic means" Wilson resorted to armed neutrality. *New Dem.* II, 428–32. *War and Peace*, I, 2. The armed neutrality bill passed the House but was lost in a Senate filibuster by a "little group of wilful men." Wilson then asked that the Senate rules of procedure be changed so that complete paralysis of the government could not be brought about in the future. A modified form of debate was finally worked out. N. Y. *Times*, Dec. 5, 1915, Mar. 9, 1917.

reveal that the idea of conscription had seized him.[42] Too energetic a preparation would thwart his attempts to realize his peace plans. By 1917 selective conscription became fixed in his mind. In previous wars, armies had been organized: in this war nations were organized. When opposition to the draft developed in Congress, Wilson pressed his case upon its members. Speaker Clark declared: "So far as Missourians are concerned there is precious little difference between a conscript and a convict."[43] As other Democratic leaders voiced their opposition to the administration's military plans, they stood aside to allow members sympathetic with the policy to carry the responsibility.[44]

The stage of merely training an army for service was passed, Wilson declared in June, 1917; it was "a nation" that must be so equipped and trained.[45] A year later he asked Congress to rectify the "age" and "number" provision of the Selective Draft so that he could summon as many men as might be necessary to defeat Germany. With him it was to be "force to the utmost". Congress responded with the Man Power Act of 1918 granting the President power to summon the necessary millions. During the period of a year, seven months and five days we were at war, the army rose from 207,500 in federal service in June, 1917, to 3,757,624 at the time of the armistice. Of these, 2,086,000 were transported to France, 49 per cent of these were carried in British vessels.[46]

Referring to the Navy when calling for war against Germany, the President said it would involve the immediate full equipment, "particularly in supplying it with the best means of deal-

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[42] *New Dem.*, II, 1–121.

[43] For Wilson's interpretation of the Selective Draft see his letter to Representative Helvering, N. Y. *Times*, Apr. 20, 1917.

[44] Senator Stone, who opposed the declaration of war, stepped aside from the Chairmanship of the Senate Foreign Relations Committee to allow Senator Hitchcock to take the leadership. Repres. Kitchen, Floor Leader of the House, deferred to Repres. Flood. Repres. Dent, a Democrat, permitted Julian Kahn, a Republican, to lead the administration's army program. N. Y. *Times*, Apr. 21, 1917.

[45] *War and Peace*, I, 38. For a description of the draft machinery see *Annual Report*, Sec'y War, 1917, I, 14–18; for the declination of Roosevelt's offer of service, *War and Peace*, I, 40–41. For Wilson's request for increased man power, see *War and Peace*, I, 205–06; N. Y. *Times*, May 3, 1918.

[46] *Annual Report*, Sec'y War, 1919, I, 3–4.

ing with the enemies' submarines."[47] Apparently this change in plans of the 1916 Naval Act did not disturb him.[48] Colonel House pointed out that United States concentration on lighter craft to offset the submarine would leave our Navy unbalanced at the end of the war. The Colonel would agree to cease temporarily the building of capital ships providing the major powers warring against Germany would enter into an agreement. He proposed a pact for mutual assistance against attack for four years after the close of the war. The President, however, did not concede that the question of capital ships was of vital importance. He was opposed to anything approaching an alliance with any major European power.

In the conduct of the war, Wilson was unalterably opposed to the formation of a bi-partisan cabinet, such as England, France and Italy had come to.[49] Likewise he objected to the formation of a Congressional Committee to supervise the conduct of the war, such a committee as harrassed Lincoln.[50] The army of advisers which Wilson called to his side aided him in carrying on war activities, particularly on the productive side. "The creation of an army and navy," he declared to be "the simplest part of the task to which we have addressed ourselves."[51] Congress gave him varying power of control over raw materials and finished products, over exports and imports and transportation.[52] In the Overman bill, brought before Congress at his instigation,

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[47] *War and Peace*, I, 9–10.

[48] Seymour, Chas. *Intimate Papers of Colonel House*, III, 66–68. Only two battleships were completed while the U. S. was at war. 44 destroyers were commissioned. *Ibid.*, III, 74.

[49] Straus, Oscar *Under Four Administrations*, 388–89.

[50] *Cong. Rec.*, 65 Cong., 1 Sess., Vol. 55, 5844. He also opposed the establishment of a munitions department in the cabinet, believing that no good and much harm might result. N. Y. *Times*, Jan. 12, 1918. Wilson's reply to an attack on the conduct of the war made by Senator Chamberlain is found in *War and Peace* I, 167–69. See Baker, N. D. *Frontiers of Freedom;* Palmer, F. *Newton D. Baker—America at War*, Vol. I; Pershing, J. J. *My Experiences in the World War*, esp. Vol. I, Chap. X, XIV, XVIII. For the functioning of the Cong. Comm. during the Civil War see article by Ogg, F. A. in *Rev. of Rev.*, Sept., 1917, 295.

[51] *War and Peace*, I, 22.

[52] For control over food see *War and Peace* I 42–45; over exports, 69–71 73–74; 97–98; over railroads, 143–47.

his powers were enlarged to reconstruct existing governmental agencies in order to secure better coordination.[53]

Wilson had travelled far in his defense policy since coming to office. His acceptance of our traditional policy in 1913 gave way a year later to a "trained citizenry", followed in 1915 and 1916 by an increased Regular Army and an enlarged National Guard. He succeeded in inducing Congress to accept a naval building program. When we entered the war, he was adamant for the Selective Draft and a year later, 1918, it was "force to the utmost".

With the signing of the armistice the problem of a future military policy had to be dealt with. If the total demobilization of our army could have been accomplished on November 11, 1918, a standing force of 132,619 would have remained.[54] Four million citizens had received training during the war. Hence one problem of the future was to determine what levy, if any, was to be made on them, as well as to provide for those coming of military age.

The post-armistice state of the world served to complicate our defense problem enormously.[55] Germany was defeated; whether or not she was crushed was a matter for dispute. Nevertheless, she had to be policed, in the administration of which we were assigned a share.[56] Bolshevism was reaching out to the hungry States of Europe and threatening to swallow up the newly-formed Republics. Starvation stalked the land and provided a fertile seed bed for revolutions. This question was timely: Did our international military obligations end with the war?

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[53] For text see 40 *Stat. at L.*, 556–57. As originally introduced the bill gave the President power to create new agencies, as well as to re-construct existing ones. The Senate struck out the creative power, except to create an agency to supervise aircraft production. It limited the operation of the bill to six months after the close of the war instead of a year as originally provided for. N. Y. *Times*, Apr. 30, 1918; *Amer. Pol. Sci. Rev.*, Aug., 1918, 365. For the administration of the Overman Act see *H. Doc.*, 1841, 65 Cong., 3 Ses. The activities of the war agencies are summed up in the 1919 *Annual Reports* of the various Dep'ts under whose jurisdiction they came. See a general discussion of these agencies in Willoughby, W. F. *Government Organization in Time of War and After.*

[54] *Annual Report*, Sec'y War, 1919, I, 53 et seq.

[55] The literature of this period is voluminous. See, for example, Gibbons, H. A. *Europe Since 1918*, Chap. I-X; Nitti, F. S. *Decadence of Europe.*

[56] For a summary of the Army of Occupation see *Annual Report*, Sec'y War, 1919, I, 22–23; for American troops in Russia, *Ibid.*, 23–25.

The disintegration of Europe was not the only factor which complicated our future military policy. The President was perplexed over the Senate's attitude toward the League of Nations. On his League tour in September, 1919, Wilson laid the situation very frankly before the people. The League was an instrument to maintain peace in the world, he declared, and it was our duty to join with the other nations of the world in establishing it.[57] The war had given us a primacy of leadership which we ought not to fritter away in times of peace. Our national rights, if we entered the League, were fully safeguarded, he maintained. If we refused to join the other nations, to him the alternative was clear. At St. Louis he declared that the League "without the United States would be merely *an alliance*, and not a league of nations."[58] (Italics mine.) "It would be an alliance in which the partnership would be between the more powerful European nations and Japan, and the other party to the world arrangement, the antagonist . . . You have the alternative," he solemnly declared, "armed isolation or peaceful leadership." He then gave wings to his imagination and pictured an armed America. Compulsory military service would be the tap root, with instruments of war, piled high, ready for instant use. Military bureaucracy would gradually alter the character of our democracy, he avowed. Twice afterwards on this tour he described the effect of our abstention from the League in the spirit of this same address.[59]

It was in the light of these disintegrating conditions in Europe and our non-acceptance of the League that the administration framed its post-war defense policy. Early in January, 1919,

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[57] Wilson's "League Tour" addresses are found in *War and Peace*, I, 590–649; and *Ibid.*, II, 1–417. See Foley, H. W. *Woodrow Wilson's Case for the League of Nations.* For the Senate Foreign Relations Committee's study of the Covenant, see *Hearings before the Senate Committee on Foreign Relations*, 66 Cong., I Ses., 1919. See Colby, B. *The Close of Woodrow Wilson's Administration.* Colby quotes Wilson as follows: "The poison of untruth has gone so deep into the popular thinking that it will take thirty years, at least, before a rational public opinion as to the true foundations of our security and as to our international duty is restored." 12–13.

[58] *War and Peace*, I, 638–39. His prophecy has not been fulfilled. For an opposing opinion, see Lodge, H. C. *The Senate and the League of Nations.*

[59] At Sioux Falls, S. D., Sept. 8, 1919, *War and Peace*, II, 47–51; Portland, Ore., Sept. 15, 1919, *Ibid.*, II, 196–97.

Secretary Baker laid a plan before the House Military Committee, calling for a Regular Army of half a million men, recruited by volunteers. No provision was made for universal service. He described this Army as a "temporary" one which would carry us over until the terms of peace were decided.[60] Although the measure passed the House it was swallowed up in a Senate filibuster at the end of the session. Six months later the Baker-March bill prepared by the General Staff of the Army was brought before Congress.[61] It provided for 510,000 in the Regular Army and universal service for three months for those coming of age. Attempt was made to utilize "in reserves" the officer personnel mustered out of service after the war. Wilson approved this "very moderate" training project.[62]

But Congress was of a different mind. The Senate dropped the consideration of the bill in October, 1919, and substituted one of its own making, the Wadsworth bill. Here the principle of universal training was struck out and the standing force reduced to 280,000.[63] Provision was made for utilizing the experienced soldiers of the war through the voluntary organization of reserves on a territorial basis. When the House Democrats, in the face of contrary Presidential opinion, decided in caucus to drop universal training, Wilson wrote the Secretary of War that world conditions did not permit "such sureness with regard to America's obligations to decide upon this question on purely military grounds."[64]

The Defense Act of June 4, 1920 limited the Regular Army to 280,000, recruited by volunteers. Universal training was omitted. The war veterans were to be organized into volunteer divisions. Seven months later Congress, pursuing the policy of economy,

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[60] N. Y. *Times*, Jan. 4, 1919.

[61] For text, see *Annual Report*, Sec'y War, 1919, I, 480–91, and letter of Sec'y Baker in *Cong. Rec.*, 66 Cong., 1 Ses., Vol. 58, 3604–05. Before and after his inauguration as President, Washington advocated conscription and universal service. Madison urged the same policy before and after the War of 1812. Palmer, J. M., *op. cit.*, 353. For views of Pershing and Wood, see N. Y. *Times*, Sept. 11, Nov. 1, 1917.

[62] Wilson's letter to Baker, N. Y. *Times*, Feb. 10, 1920.

[63] A summary of the Wadsworth bill is given in Palmer, J. M., *op. cit.*, 362–64.

[64] Wilson's letter to Baker, N. Y. *Times*, Feb. 10, 1920. Defense Act of 1920, 41 *Stat. at L.*, 759.

passed a Joint Resolution directing that recruiting be suspended until the Army numbered 175,000. Wilson vetoed this Resolution. He pointed out that no provision was made to preserve a proportional ratio between the Staff Corps and combatant troops. Furthermore, world conditions did not justify the United States accepting "any such change", he argued.[65] On his last day in office he refused to approve a similar measure which proposed to reduce the army still further, to 156,000.[66]

It would seem that the World War demonstrated that the readiness with which the nation accepted the draft confirmed such a policy for future emergencies. To resort to compulsory military service in other than war times is un-American. By the provisions of the administration bill such service was to be limited to three months with no obligation for "reserve service". This system, of course, was too brief to generate any militaristic spirit in the country. But it is doubtful whether sufficient military advantage would result from so short a period of training to warrant the heavy expenditures entailed. A second purpose of the bill was to discover any weaknesses in the young manhood of the nation and to provide a method of correcting such weaknesses. Examinations during the registration for the draft had disclosed appalling physical defects. With our present system of supervised athletics from early school days it is a question whether such defects cannot be cared for without placing the burden and expense on the Federal government. In regard to the proposed army of 510,000 men it was pointed out on the floor of Congress at the time that such a force was unnecessary. The country had 4,000,000 men recently trained on whom it could call in case of need. Besides, there was the immense cost of maintaining such a standing force.

The future of the Navy was conditioned upon our acceptance of the League. Before sailing for Paris in 1918, the President

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[65] *Cong. Rec.*, 66 Cong., 3 Ses., Vol. 60, 2684. Article VIII of the Covenant of the League had been accepted by League members when this veto was delivered. It reads: "Members of the League recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety, and the enforcement by common action of international obligations."

[66] N. Y. *Times*, Mar. 5, 1921.

told Congress he took it "for granted" that the 1916 building program would be carried out.[67] The work on battleships had been suspended during the war to allow the construction of lighter craft for use against submarines. In addition, he urged upon Congress the acceptance of a new building program outlined by Secretary Daniels, holding that a definite schedule was necessary for the Navy. This program consisted of a second three-year building plan calling for 156 ships in all, and an expenditure of 600 millions. It would be unwise for the nation, he urged, "to attempt to adjust our programs to a future world policy as yet undetermined."[68] When queried for the reason back of the new three-year recommendation, Secretary Daniels informed the House Naval Committee that the President had said: "Nothing would so aid him at the Peace Conference as the authorization by Congress of this program for a large Navy."[69]

The new program had rough sledding before the House Naval Committee. Early in February the President undertook to weaken the opposition to it when he cabled from Paris that nothing had taken place in the conference in respect to disarmament to allow him to accept a suspension of this program. This new building plan might well prove a Damoclean sword hanging over the nation which objected to the principle of the freedom of the seas or to the League Covenant. Wilson would accept, however, a clause in the bill authorizing him to order such suspension in building in case the nations reached a satisfactory agreement on naval limitation.[70] The House accepted this plan but it was lost in a Senate filibuster.

On May 27, 1919, Secretary Daniels proposed shelving the second building schedule in view of the activity of the United States in behalf of establishing the League at the Paris Conference.[71] He recommended the completion of the 1916 program and an enlargement of the Air Force. It is important to note that

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[67] *War and Peace*, I, 318.
[68] *War and Peace*, I, 318.
[69] Testimony before the House Naval Affairs Committee, Dec. 30, 1918. Reported in *Amer. Yearbook*, 1919, 50.
[70] *Cong. Rec.*, 65 Cong., 3 Ses., Vol. 57, 2681–82.
[71] N. Y. *Times*, May 28, 1919.

the President did not personally urge the suspension of the 1916 program. Authority was given him in the Naval Act of that year to order such suspensions in case of the establishment of an international tribunal to settle international disputes.[72]

By December, 1920, the League had been definitely rejected by the Senate. Secretary Daniels, in his last *Annual Report*, declared that if the United States was unwilling to enter the league, "I feel compelled to ask Congress . . . to authorize another three-year building program."[73] Work on this program was to follow the launching of the battleships authorized in 1916. Congress rejected his proposal.

To summarize: It has been shown that Wilson, though at heart a pacifist, was the victim of circumstance in his defense policy. Prior to our entry into the war he held to our traditional policy of small defense programs. Furthermore, he believed large fighting forces would make hollow mockery of his peace endeavors. During the war he was adamant for conscription, as well as for a superlative Navy. In the post-war period he followed a middle course policy. His proposals exceeded what Congress would allow, but they fell short of the requirements which he felt might be necessary for an isolated nation in a world of turmoil.

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[72] See text of Naval Act, 1916.

[73] P. 85. The contemplated new building in 1918 aroused British opinion. *Fortnightly Rev.* for June, 1919, 175, and Dec., 1920, 917. Appropriations for new naval construction during Wilson's period are found in *Annual Report*, Sec'y Navy, 1921, I, 224.

## V

### Tariff

Wilson appeared before the Tariff Commission in Atlanta, Georgia, in 1882, while he was a practicing lawyer, to argue for the repeal of "all protective laws" and for "establishing a tariff for revenue only."[1] It is worth while noting that, theoretically, he held to this view until his end. Practically, however, the sobering influence of varied contacts caused him to realize the result on established industry in this country of suddenly throwing off the protection of a tariff and of allowing new industries to shift for themselves. Both before and during his Presidential terms he declared that the change from protection should be gradual, and that business should be informed well in advance of such changes so as to provide a period for adjustment.

Many of the arguments employed by him at the Atlanta hearing found echoes thirty years later. He traced the protective policy in this country to the influence of John Stuart Mill and others.[2] It was to the advantage of a new country, they wrote, to protect its infant industries by tariffs, providing the tariffs were only a temporary expedient. Wilson argued that such tariffs were "bounties", legitimate for a short time only. It was their continuance which irked him. The results of such continuance, he contended, placed a premium upon inefficiency, thwarted competition, and discouraged commerce with foreign powers. He scouted the idea that the tariff would diversify our industries, making us independent of foreign countries. During the Atlanta hearing our great dependence upon England for the manufacture of the "cotton ties" was stated by a Tariff Com-

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[1] Baker, R. S., and Dodd, W. E., *College and State*, I, 89–94.

[2] Wilson was much influenced by the teachings of Bright, Cobden and Gladstone on free trade. For Bright's discussion of free trade see Leech, H. J. (editor) *The Public Letters of the Right Honourable John Bright*, 71–72. For Cobden's free trade views see his speech at Madrid in 1846 in Schwabe, Mrs. Salis (editor) *Reminiscences of Richard Cobden*, 14–15. For Gladstone's tariff interests see Morley, John *The Life of William Ewart Gladstone*, I, 255 et seq. For Wilson's attachment to Bright and Gladstone see *College and State*, I, 43–60, 63–89.

missioner. The witness was asked: "Is it a part of wise policy that we should be dependent upon England for our cotton ties?" Wilson replied that if British manufacturers raised their prices the inevitable result would be to force Americans to manufacture, with a natural drop in price resulting from such home manufacture. This seemed to satisfy him on the matter of too great a dependence in time of peace. Evidently he failed to see that the American manufacturer would probably sell at the highest figure the buying public would bear, which might equal the price of the British-made article in this country. Human nature, rather than tariff walls, would govern the case. When it came to war he admitted the disadvantages of the South. He urged, however, that the protectionist by his tariff taxation was preparing for one year of war during fifty years of peace, the principle of which he discounted.[3] He recognized the soundness of the policy of indirect taxation by the federal government, leaving direct taxation to the States.

Twenty-seven years later he enlarged upon these tariff views. The Payne-Aldrich bill was then before Congress, 1909. To him it was "The Tariff Make-Believe."[4] The bill, he declared, was "miscellaneously wrong in detail and radically wrong in principle." He sketched the profound secrecy which attended its making, particularly in the Senate Finance Committee. Public debate had little influence upon such legislation, and it was considered "impertinence for reporters to inquire" what happened behind closed doors, he continued. Consequently the play of vested interests for protection was shielded from public scrutiny. It was easy under such circumstances to carry out the Republican platform of 1908 which declared the standard of tariff revision to be the difference between the production costs

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[3] A surplus was accumulating in the Federal Treasury at this time, 1884, which was attributed largely to the tariff. For Cleveland's views on the surplus and his remedial measures to balance the budget see McElroy, R. M. *Grover Cleveland—the Man and the Statesman*, I, 269–70.

[4] *N. Amer. Rev.*, Oct., 1909, 535 et seq. Wilson could see no relation between the principle of the Payne-Aldrich bill and the tariff doctrines of Clay and Webster. Hale, W. B. (editor) *The New Freedom*, 145. For Senator Aldrich's proposal to bring new industries into this country see *College and State*, II, 334.

here and those in countries competing with us, together with a reasonable profit to American industry.[5]

After expressing dissatisfaction with the Payne-Aldrich bill, Wilson undertook to present his own views. He pointed out the shift of basis on the tariff question in this country from the days of Hamilton to the days of the Payne-Aldrich bill. The former sought the "development of the country, the development of the resources . . . and the skill of her people."[6] This principle, he declared, was "intelligible" and "statesmanlike" for a new country. The latter bill acted upon the principle "that profits must be assured to those who cannot stand competition *after development*"[7] (italics mine). The basis for an impartial tariff process in this country was to be "the old principle of Hamilton in a new form and application," he argued.[8] The return to Hamilton's principle should be gradual. Once it was established the nation should insist that the principle be followed, regardless of the party in power.[9] Only those industries should be protected which were manifestly suited to the country and were still undeveloped. The end and aim of customs was revenue, he held, and in levying duties Congress should select only those objects least demanded by the people.

The popular resentment against the Payne-Aldrich bill was so intense that in the Congressional elections in 1910 a Democratic majority of 66 was substituted for a previous Republican majority of 40.[10] Two years later Wilson went into the White House elected by Republican voters and supported by Democratic majorities in both Houses of Congress. A large part of his campaign had been waged on the evils of protection under our tariff laws.

His leadership after election was first brought out in connec-

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[5] *N. Amer. Rev.*, Oct., 1909, 535 et. seq.

[6] For Hamilton's Report of the Industries and Commerce of the United States see *The Works of Alexander Hamilton* (Federal ed.) Vol. IV, 67 et seq.

[7] *College and State*, II, 131.

[8] *Ibid.*, 142.

[9] *Ibid.*, 141. There is a forecast of the Tariff Commission in this statement, which was established by Congress in 1916 on the urgent suggestion of Wilson. When writing on the Payne-Aldrich bill, however, Wilson was opposed to the establishment of such a commission.

[10] Ford, H. J., *Woodrow Wilson—the Man and His Work*, 179.

tion with tariff legislation. Not all the members of his own party accepted his views on the subject.[11] Prior to his inauguration he worked with Congressional leaders—especially with Representative Underwood of the Ways and Means Committee in the House—on a new bill so as to have a definite measure to present to Congress when it convened in special session in April, 1913. The drafting of such a bill proved a tedious process and was the occasion for many battles. After an all day session between the President and Congressional leaders, the press reported that many items remained unsettled. Among them were the disposition of wool and sugar, the extent of the free list, the income tax and the advisability of putting the bill through as a single measure or in seventeen separate schedules.[12] Wilson's views finally prevailed. The rate on sugar was reduced 25 per cent from the rate of the Payne-Aldrich Act, with the provision that sugar go on the free list after May 1, 1916. In making this decision regarding sugar Wilson realized that it would cause the defection of Democrats in the Senate from the sugar producing States, thus cutting his slim majority in the Upper House and endangering the passage of the tariff measure. It was on his decision that the bill was put through as a single measure.

His first personal appearance in Congress was to plead for his tariff views. He informed the two Houses that tariff schedules had remained practically unchanged while the whole method of our commercial and industrial life had changed "beyond recognition."[13] Special privileges must be abolished and "effective competition . . . must be established" he contended. He urged that the correct method of tariff drafting should be "a

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[11] Baker, R. S., *The Life and Letters of Wilson*, Vol. IV appeared serially in the N. Y. *Herald-Tribune* during Nov. and Dec., 1931. Installments for Nov. 19, 20, and 21 discuss Wilson's efforts to promote his tariff legislation. Wilson frequently occupied the President's room at the Capitol while the bill was before Congress, the first President since Lincoln to avail himself of the convenience which such a room offered for discussing legislation intimately with members of Congress. N. Y. *Times*, Apr. 10, 1913.

[12] N. Y. *Times*, Apr. 4, 1913. For a discussion of the wool tariff see article by T. W. Page in *N. Amer. Rev.*, Apr. 1913, 445 et seq., who held ". . . in weighing arguments pro and con the balance leans heavily to free wool." Mr. Page was later made a member of the Tariff Commission.

[13] Address to Congress on the tariff, *New Dem.*, I, 32–35.

matter of judgment exercised item by item."[14] In every case the duty levied should be such as to provoke competition. By definition in the Underwood bill when first brought before the House: "Where tariff rates balance the difference in cost at home and abroad, including an allowance for freight rates, such a tariff must be competitive, and from that point downward to the lowest tariff that can be levied it would continue to be competitive to a greater or lesser extent. Where competition is not interfered with by levying the tax above the highest competitive point, the profits of the manufacturer are not protected."[15]

The bill as introduced by the Ways and Means Committee passed the House on May 8th, by a vote of 281 to 139, after a week of general debate and a week of specific discussion on certain schedules, i. e., sugar, wool, etc.

Its passage through the Senate was delayed. By a 41–36 vote, that body declined to hold public meetings on the bill.[16] Seven of the ten Democratic members of the Senate Finance Committee had communicated to the President their fear of the entire program being wrecked if all the schedules were included in a single measure. They recommended three separate bills: one for general items; one for sugar, and one for wool.[17] But Wilson was adamant against any separation of the bill as it passed the House. The Finance Committee then took evidence on the schedules behind closed doors. Thus the industries were able to plead their cases for protection with great secrecy. To Wilson this practice was a return to methods which should have been discarded long ago. It was a surrender of the principles on which the party in power had gone before the people at the recent election. Two weeks after the Senate Finance Committee took

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[14] *Ibid.* Wilson remarked to Houston: "I am not an expert in economic matters or in financial matters. In these things I shall have to get much advice." Houston, D. F., *Eight Years with Wilson's Cabinet*, I, 20. See "The Social and Economic Background of Woodrow Wilson" by Wm. E. Dodd in *Jour. of Pol. Econ.*, Mar., 1917.

[15] H. R. *Report* No. 5,. 63 Cong., 1 Ses.

[16] *Outlook*, May 31, 1913. For a Republican criticism of the Underwood bill see article by Repres. Longworth in *Outlook* for May 31, 1913. He dwelt on the inexperience of the majority of the Ways and Means Committee who drafted the bill.

[17] N. Y. *Times*, Apr. 8, 1913.

up the discussion of the bill, the President prepared a statement for the press denouncing the "insidious" and "industrious" lobby working at Washington.[18] The result was immediate and what he anticipated, the dispersion of the lobby.

But the breaking up of the lobby was only one of the results achieved by this public statement. His political acumen was fully apparent here. There were certain members of the Finance Committee who could not accept the President's policy in its entirety, especially as it applied to wool, sugar and citrus fruits. The lobbyists ingeniously played upon these differences and sought to drive a wedge into the administration program. Certainly there was little doubt in the public mind after the press statement that any Senator who balked at the President's program was, in some way, aligned with the lobbyists. From this time on Wilson received more substantial support from his own party in the Senate.[19] Senators who had been besieged by the "interests" and wavering in their support, now fell into line.

The measure passed the Senate in September and was sent to conference between the two Houses. It became a law on October 3, 1913, less than six months after it was first brought before Congress. The average rates were about 26 per cent lower than the rates of the Payne-Aldrich Act.[20] Such reductions, however, did not lead to a wholesale inundation of our home markets by European goods, as the Republicans had confidently predicted.

The policy back of the law was apparent. It was to make monopoly less "easy and natural". It sought to stimulate

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[18] *New Dem.*, I, 36.

[19] Wilson had early anticipated opposition in the Senate. This body had wrecked tariff legislation before. Prior to introducing the Underwood bill, the press reported that Wilson intended to appeal to the country in case of a dead lock in the Senate. He had reviewed every session of Congress in which tariff legislation had been important, and had decided what he thought were the mistakes of former Presidents. N. Y. *Times*, Apr. 7, 1913; *Atlantic Monthly*, May, 1916, 577 et seq.

[20] The N. Y. *Sun* wrote after the bill had been brought before the House: "The main feature of this measure (income tax) is socialistic in its purpose." N. Y. *Times*, Apr. 8, 1913. Wilson wanted the clause in the Underwood Act repealed which granted a 5 per cent rebate to goods brought in in American ships; he felt a similar rebate should be given to all nations having treaties with the U. S. which provided for reciprocal equality of duties. N. Y. *Times*, Oct. 9, 1913. See "The Tariff Act of 1913" by F. W. Taussig in *Quar. Jl. of Economics*, Vol. XXVIII, (1–30).

competition and efficiency among American industries. Such industries were henceforth to be held less in the lap of the government, but were to stand more upon their own feet. Whether or not the law would have accomplished its purpose in liberating industry is a matter for speculation. As an experiment in Democratic tariff making, the Act is inconclusive. It was in effect less than ten months before the war in Europe created abnormal conditions in our commerce and industry. Cut off from certain European supplies necessity compelled us to develop these lines ourselves. Likewise, the law's possible effect upon commodity prices in this country was soon nullified by the enormous European orders after July, 1914, which upset our home markets.

A tangible result of the 1913 Act was to shift the basis of our federal revenue.[21] Hitherto customs receipts had provided about half the returns of the federal treasury. But the introduction of the federal income tax and the levying of additional internal revenue taxes, especially after 1917, changed that basis. Customs receipts furnished 48 per cent of the federal revenue in 1913, 33 per cent in 1915 and only 6 per cent in 1920. Wilson considered the income tax democratic and fair. "We have sought to equalize taxation," he declared, "by means of an equable income tax."[22]

Once the Underwood measure became law, Wilson opposed further wholesale tariff revision. Two months after the beginning of the Great War in 1914, a deficit threatened for the fiscal year 1915, due chiefly to decreased imports on account of the

[21] The constitutional amendment providing for the federal income tax (16th Amendment, proclaimed Feb. 25, 1913) was put into effect for the first time in the Underwood Act.

| TREASURY RECEIPTS | INTERNAL REVENUE | CUSTOMS |
|---|---|---|
| 1912 | $321,112,199.66 | $311,321,672.22 |
| 1913 | 344,466,965.65 | 318,891,395.86 |
| 1915 | 415,669,646.00 | 209,786,672.21 |
| 1919 | 3,840,230,994.85 | 183,428,624.78 |
| 1920 | 5,399,149,245.06 | 323,536,559.25 |

*Annual Report*, Sec'y Treas., 1920, 789–90.

[22] *New Dem.*, II, 280.

war. Had the higher rates of the Payne-Aldrich Act been in force, this deficit would have been even greater. Wilson proposed to balance the budget by levying internal taxes, not by additional customs duties.[23] In the same way he elected to meet the expenses of the National Defense program in 1916 by increased income and internal taxes.[24] It would have been manifestly unwise to defray the mounting costs of government throughout the period of "preparedness" by raising the tariff duties. Such a source of revenue was extremely uncertain, as imports from abroad were curtailed because of the naval blockade in foreign waters. There was no prospect of phenomenal increase such as the income and internal taxes would produce. After our entrance into the war, our tonnage requirements were so greatly in excess of the supply available that the President found it necessary to compel importers to secure an "importing license" for all goods brought into this country.[25] To accelerate the return of our troop and cargo ships, imports were limited, largely, to materials demanded for war work, thus cutting off the luxury articles which produced heavy income in normal times.

By 1915 the war had caused a monumental change in our commercial possibilities, which we were unprepared to meet. Particularly was this true in respect to shipping. Wilson early realized our deficiency in this direction and sought out a remedy. In 1914 he sponsored a Ship Registry bill in Congress which would permit vessels under foreign registry to transfer their registry to American.[26] The response to the law was most gratifying. Almost three-quarters of a million tons were transferred the first year. At the same time he began advocating an American mer-

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[23] *Ibid.*, I, 160–64. Wilson opposed increasing the income tax figure at the time as no direct revenue could be immediately produced.

[24] *Ibid.*, I, 419–22. Wilson declared that the program should be financed on the "pay as we go" plan.

[25] *War and Peace*, I, 42.

[26] Before the Civil War we had over one half the ocean tonnage in the world; by 1910 our percentage had dropped to 12 per cent. In 1914 we had only seven ships regularly crossing the Atlantic to Europe, six sailing the Pacific, and none flying the American flag on routes to South America below the Isthmus and the Carribbean, to Australia or to Africa. *Atlantic Monthly*, June, 1914, 796, Feb., 1919, 255. Roosevelt advocated establishing an American merchant marine, but opposed the subsidies which foreign governments granted their marines. Richardson, *Messages and Papers of the President*, XVIII, 7364.

chant marine. The government, he believed, should assume the responsibility for establishing a system of ocean carriers, even when the carriage was unprofitable, and continue the business until it became profitable. The business could then be taken over by private hands.[27]

Our commercial horizon was broadened, particularly in the direction of South America. This region, shut off from the manufactures and credits of Europe by the war, turned to us. The administration was most eager to explore and develop these possibilities. A year after the war opened a Pan-American Financial Congress was held in Washington under the auspices of the Treasury Department, attended by representatives from all Latin-American countries.[28] Determined efforts were made to set up an all-American shipping line and a system of adjusting trade disputes. Likewise, the expansion of United States banking houses through branches in South America was fully canvassed. Trade results since the war show that such efforts were not misdirected.[29]

Although our first commercial choice in 1914 and 1915 was perhaps South America because of the future possibilities of trade, the war, once the conflict had started, naturally gave our European trade a sudden growth, following the opening up of the channels of communication. Incidentally, we derived no small

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[27] *New Dem.*, I, 219–20. The opposition to the bill claimed the government should not enter a private field of industry. See Root, E., *Addresses on International Subjects*, address on "The Ship Purchase Bill"; "The Opposition and the Shipping Bill" by Senator Burton in *Sen. Doc.* 949, 63 Cong., 3 Ses. Favorable to the bill see address of McAdoo, W. G. in *Sen. Doc.* 713, 63 Cong., 3 Ses.

[28] *Proceedings of the First Pan-American Financial Congress*, Washington, 1915; also Norman, J. F. *The Struggle for South America.*

[29] Exports from the United States to South America—*Stat. Abs.*, 1921, 852.

| | |
|---|---|
| 1913 | $146,147,993 |
| 1914 | 124,539,909 |
| 1915 | 99,323,957 |
| 1916 | 180,175,374 |
| 1917 | 259,480,371 |
| 1918 | 314,558,794 |
| 1919 | 441,747,728 |
| 1920 | 623,916,990 |

profit from Europe's inability to carry on its accustomed trade with Asia.[30]

Into this rapid y growing commercial prosperity we were thrust in 1916. No one, declared Wilson, could understand the economic revolution then going on in the world. Certainly no intelligent legislation along the lines of international trade could be undertaken until the new conditions were studied. He recommended to Congress the establishment of a Tariff Commission to make such a study.[31] Prior to 1916 he had opposed such a Commission as unnecessary. Its only purpose, he argued, would have been to keep alive an unprofitable controversy over a public policy of the government, which would keep business continually in a state of nerves. The world economic revolution led h m to take a different view. In this change of opinion, he informed Representative Kitchen, he had no thought whatever of a change of attitude towards the so-called protection policy.[32] Such a board would have nothing to do with policy; it would deal with facts of industry and exchange in the world.

Other agencies, working independently of the Tariff Commission, would aid in the government's study of market conditions. A system of Commercial Attachés had been established by an act of Congress in 1912, for collecting trade information throughout the world. This information was then made available

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[30] Exports from the United States to Europe and Asia.—*Stat. Abs.*, 1921, 852–53.

| | EUROPE | ASIA |
|---|---|---|
| 1913 | $1,479,074,761 | $115,056,620 |
| 1914 | 1,486,498,729 | 113,425,616 |
| 1916 | 2,999,305,097 | 278,610,881 |
| 1919 | 5,187,666,363 | 701,164,787 |
| 1920 | 4,466,090,927 | 771,748,562 |

[31] *New Dem.*, II, 10. Wilson wanted to keep the Commission out of politics as much as possible. The suggestion was made to him that he appoint one member and the majority and minority parties in Congress appoint two each. To this proposition he was opposed. N. Y. *Times*, Feb. 22, 1916. As finally established the Commission was to contain not more than three members from any one party.

[32] N. Y. *Times*, Jan. 27, 1916.

to American citizens through the Bureau of Foreign and Domestic Commerce. As part of Wilson's business program the Federal Trade Commission was inaugurated in 1914 charged with supervising business in this country, as a sympathetic adviser, not an antagonist.[33] In the Webb Act, which Wilson urged Congress to pass, combinations among exporters in this country were declared legal, not contrary to the anti-trust laws.[34]

It was in this atmosphere of American world trade and credit that the President took up the post-war tariff problem, in the solution of which he reflected his Bright and Cobden leanings. The latter had remarked at a banquet in Madrid in 1846 thus: "I need not tell you that commerce is nothing but an exchange of equivalents, and that a nation must consent to import, or it cannot export."[35] How reminiscent of the above was Wilson's statement to Congress in December, 1919: "If we want to sell, we must be prepared to buy."[36] This sentence furnishes the keynote to his post-war tariff policy.

The President pointed out to Congress in December, 1919, that the interest annually paid on United States securities held abroad, the expenditures of American travellers abroad and the ocean freight charges flowing into foreign hands practically equalled the value of our pre-war favorable trade balance. But the war had wrought a commercial revolution for

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[33] On the limits of the Commission's powers see Federal Trade Commission vs. Matz, 253 U. S. 421 (1920). Wilson was not opposed to "good trusts", only to "bad trusts". His thinking along the lines of trusts was influenced by the views of Mr. Brandeis, who published a series of articles in *Harpers Weekly* in 1912 under the caption "Other People's Money". See also the *Social and Economic Views of Mr. Justice Brandeis* ed. by Lief. For the trust problem in this country see Jones, Eliot *The Trust Problem in the United States;* Durand E. D. *The Trust Problem.*

[34] *New Dem.*, II, 318.

[35] Schwabe, Mrs. Salis (ed.) *Reminiscences of Richard Cobden*, 14–15.

[36] *War and Peace*, II, 430–31. Number 3 of the Fourteen Points address to Congress, Jan. 8, 1918, reads: "Removal, as far as possible, of all economic barriers, and the establishment of an equality of trade conditions among all nations consenting to the peace." *Ibid.*, I, 159. Sen. Hitchcock asked Wilson to elaborate on point 3, who replied that he meant "to suggest no restriction" upon any nation to determine its own economic policy. Rather, whatever tariff a nation might deem necessary for itself "it should apply equally to all foreign nations. Weapons of economic discipline should be left to the joint action of all nations to punish those who would not submit to a general program of justice and equality," Wilson continued. *Cong. Rec.*, 65 Cong., 2 Ses., 11489.

us. "The United States has become the economic center, the financial center." said Wilson.[37] The factors offsetting our favorable trade balance prior to 1914 Europe could no longer rely upon. Many of our securities, formerly held abroad, had been purchased in this country, and we had constructed a merchant marine to carry the bulk of our cargoes. In peace times, he declared, Europe had only three possible ways of meeting our favorable trade balance: by imports into this country of gold or of goods, or by establishing new credits. Gold imports from abroad were impossible at the time and inadvisable for us, he held. A year later, January, 1920, when vetoing the Joint Resolution directing the War Finance Corporation to act in the interest of the agricultural depression in this country, it was stated that "Large government credits . . . should not now be resumed, either directly or indirectly."[38] Reliance should be on private sources of finance, the veto continued. Hence the importation of goods into this country was the only way to enable Europe to meet our trade balance and be set on the road to recovery.

Tariff, then, took a position in Wilson's reconstruction policy only a shade less important than the acceptance of the Versailles Treaty. Incidentally, on his League tour in September, 1919, the President denied that our acceptance of the Covenant of the League would prevent Congress from settling our domestic questions, among which was the tariff.[39] In May, 1919, he cabled to Congress that there was no occasion for making ". . . in the near future any general revision of our system of import duties." He entertained no fear of "dumping" of European goods "for many years to come." Industry abroad, he said, had been subjected to a greater strain than ours. In many cases, there had been a total wreckage, and the work of reconstruction would tax the capacities of those peoples, he held, and thus prevent wholesale competition. In fact, Congress had already given the President "ample power" in 1916, to prevent "dumping", and

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[37] Foley, H. *Woodrow Wilson's Case for the League of Nations*, 182.
[38] Houston, *op. cit.*, II, 112–13.
[39] *War and Peace*, II, 132.

the government business agencies and the Tariff Commission could advise when the exercise of such power was desirable.[40] In December, 1919, he emphasized his tariff position taken the previous May. The productivity of the country stimulated by the war must find an outlet of exports to foreign countries, he contended, and "any measures taken to prevent imports will inevitably curtail exports, force curtailment of production, load the banking machinery of the country with credits to carry unsold products and produce industrial stagnation."[41]

As a final appeal he declared that whatever may have been the controversy between our schools of political and economic thought during the period of growth of American business, our thinking should now be adjusted to the fact that "American business is full grown."[42]

An indirect part of his tariff policy was a reasonable solution of the reparation question during the drafting of the Treaty at Paris. To him a reasonable solution of this question would aid European recovery, the funding of European governmental debts and materially affect the yearly income Congress would have to provide to enable our Treasury to meet its obligations. When our income proved inadequate, resort would have to be made to higher taxes, an additional burden on business, and possibly to increased customs duties. Wilson opposed saddling Germany with a larger reparation figure than she could reasonably carry. He accepted the figure of his economic advisers—15 billion dollars —as the maximum.[43] However, politics tied his hands. Lloyd George had won an election in the Fall of 1919 in England on

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[40] *New Dem.*, II, 395. There was an anti-dumping clause in the Underwood bill when it passed the House. But the Senate discarded it, and the House made no fight to retain it when the revised bill was in conference. N. Y. *Times*, Jan. 25, 1916. See the Act establishing the Federal Trade Commission, 38 *Stat. at L.*, 798.

[41] *War and Peace*, II, 431.

[42] *Ibid.*

[43] Baruch, B. M., *The Making of the Reparations and Economic Sections of the Treaty*, 27. For a discussion of the Allied debts see *Annual Report*, Sec'y Treas. for 1917–20; Houston, *op. cit.*, II, Chap. XXVIII; Baker, R. S., *Woodrow Wilson and World Settlement*, Vol. II, Chap. XLII; Vol. III, p. 319 et seq.; House, E. M. and Seymour, C. *What Really Happened at Paris*, Chap. XI, XII; Tardieu, Andre, *The Truth About the Treaty*, Chap. IX; Schacht, H., *The End of Reparations;* McAdoo, W. G. *Crowded Years*, Chap. XXVII.

the platform of compelling Germany to pay the cost of the war and hanging the Kaiser, while Clemenceau declared that France could not accept a definite figure at the time. Once the European premiers suspected they had made Germany's reparations load all but impossible to carry, they changed their tactics. Lloyd George proposed to form a group of powers to underwrite a part of Germany's indebtedness, suggesting that the United States be responsible for 20 per cent of the bonds issued. In this way, the Allied debts would be linked with reparations as the Lloyd George proposal provided that if the enemy waived any of its obligations, the underwriters should be responsible for such default. Furthermore, if any of the underwriters should fail in their obligations, the remaining guaranteeing powers should make good such failures.[44] Wilson repudiated the above plan of May 5, 1919, pointing out the lack of equity in the proposal, and stressing the injury the reparations claims, as they then stood, would do to Germany.[45] Two weeks later, the President stated to Congress: " . . . those (foreign governmental) loans will, of course, constitute assets, not liabilities, and will not have to be taken care of by our taxpayers."[46] In October, 1920, Wilson wrote Lloyd George that the United States had endeavoured: " . . . to make it clear that it cannot consent to connect the reparation question with that of inter-government indebtedness."[47] Whatever arrangements the British government might make with the other Allied powers regarding the funding of their debts to Great Britain, the United States would look with "confident expectation of the payment . . . in due course of the debt owed the United States by Great Britain." Since the loans were made on the basis of statutes, Congress alone had the power to alter the basis of settlement.

On the other hand, Wilson urged that tariff walls must be

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[44] Baker, R. S., *Woodrow Wilson and World Settlement*, III, 336–43.
[45] Houston, *op. cit.*, II, 133.
[46] *War and Peace*, I, 490–91.
[47] Houston, *op. cit.*, II, 135–36.

built up in one direction, i. e., chemicals and dyestuffs.[48] He recommended to Congress that substantial aid be given these industries for the future, in the face of the possible recovery of such German industries. For agricultural products he was opposed to any protection. When the "bottom had dropped out" of this industry after the war, a Republican Congress passed the Fordney Emergency Tariff which levied thirty cents on wheat and increased the rates on other agricultural products. But Wilson would have none of it. In his message vetoing the bill he declared that what the farmer needed was not protection, but a better system of domestic and foreign markets and credits.[49] The thought was advanced that this measure was an entering wedge for a general upward revision of duties.

To guard against unfair tariff practises, he had urged Congress in May, 1919, to accept the suggestions of the Tariff Commission and grant the President power to levy additional duties on nations discriminating against the United States.[50] He pointed out that our tariff laws as they then stood provided no "weapon of retaliation" to enforce equality of treatment in international tariff matters. In September, 1920, Wilson declined to carry out the mandate of Congress given in the Jones Merchant Marine Act of June 5, 1920 (41 Stat. at L. 988). The Act authorized and directed the President to notify foreign governments that this country elected to terminate every treaty provision which restricted the right of the United States government to impose discriminatory tonnage dues and customs duties on imports. His refusal was based, in the first place, on the invasion of the Executive power by Congress in respect to negotiating treaties. Secondly, he declared that "Such a course would be wholly irreconcilable with the historical respect which the United

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[48] *War and Peace*, II, 432–33. See *Rev. of Rev.*, June, 1919, 618; *World's Work*, Jan., 1920, 226. As early as 1916, Repres. Underwood fought a tariff on dyestuffs. See *Report on Dyes and other Coal-Tar Chemicals* made by the Tariff Comm. to Congress, 1918. For propaganda to influence opinion in favor of tariff duties on chemicals, see *World Disarmament and the Master Key to Industry* published by the American Dye Institute, 1921.

[49] *War and Peace*, II, 530–35.

[50] *Ibid.*, I, 493.

States has shown for its international engagements . . ."[51] It is probable that by his refusal to abrogate our commercial treaties the President averted a trade war.

Wilson's post-war tariff policy carried forward the principle of competition established in the Underwood Act. In 1913 he could foresee the effect of American initiative and resourcefulness when competing in world markets. He declared in Detroit (1916): "I have never been afraid of trusting an American business man out in the air" without a tariff wall.[52] By 1919, the European competition would likely be lessened in one direction. European government subsidies to industries, so prevalent before the war, would be curtailed or dispensed with temporarily after 1918. The staggering war debts militated against such subsidies.[53] But the most cogent argument against tariff legislation after the war was to keep open a market with purchasing power.

To summarize: Wilson would canonize the principle of "tariff for revenue". He would grant protection to "infant" industries which were indigenous. However, he realized that a shift to this basis must be gradual, since the country under the Republican Party had entered into a marriage of convenience with the protective system. The Underwood-Simmons Act of 1913, partially drafted and fully sponsored by Wilson, sought, as an initial step, to eliminate the protection of profits and to introduce the competitive principle into every line of industry. By definition in the Underwood bill when first brought before the House, Wilson held as follows: "Where tariff rates balance the difference in cost at home and abroad, including an allowance for a difference in freight rates, such a tariff must be competitive." By 1916, Wilson was a convert to the necessity for a Tariff Commission to advise expertly on rates without controlling policy. He supported the income tax clause in the Underwood Act, which

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[51] N. Y. *Times*, Sept. 25, 1920. Secretary Colby pointed out that President Hayes had refused to carry out a provision of an Act passed by Congress in 1879. *Ibid.*, Sept. 24, 1920. Wilson declared that his refusal to comply with one Section (34) of the Act did not invalidate the Jones Law as a whole.

[52] *New Dem.*, II, 242.

[53] "I cannot be enthusiastic for subsidies to a monopoly," Wilson declared in 1914. *Ibid.*, I, 145. He did not view the government's action in encouraging the building up of an American merchant marine as a subsidy.

caused a shift in the principal basis of our federal revenue, from that of import taxes to that of internal revenue. Throughout the periods of "preparedness" and the Great War, the President counselled against raising tariff duties to meet the bounding rise in the cost of government, but he would allow protection to those industries which were born of our necessities, i. e., chemicals and dyestuffs.

In the post-war period he resisted attempts to increase our import duties to prevent the "dumping" of European goods on our markets, preferring to exercise the power granted by Congress to meet this contingency. Likewise, he was opposed to advancing rates on certain agricultutal products which had fallen upon evil days with the signing of the armistice. His outspoken conviction was that Europe could be made solvent and a good future customer by such tariff walls as would promote mutual trade.

## VI

### Labor

Wilson sounded the keynote to his labor policy in his first inaugural address. This followed the party platform adopted at Baltimore.[1] The nation, he contended, had not stopped "to count the human cost" which industries had exacted from labor. The time was at hand to make such a halt and rectify past wrongs "in the interest of health, efficiency and contentment, and a general increase in economic vigor."[2] The coming of the World War together with Wilson's predilection towards labor caused labor to prosper during his two administrations.

While campaigning for the governorship of New Jersey, he had declared that it was not only "perfectly legitimate" but "absolutely necessary" that labor should organize to secure justice for itself. His criticism of organized labor in the past had not been of its organization, but of its activities which were harmful to the community. The public welfare was his criterion in all cases, he declared. It is important to point out that Wilson did not look upon capital or labor as distinct classes of the population. To hold such a point of view, he declared, would make it "impossible to have a free Government."[3] As labor formed the vast majority of the people he considered its welfare as necessary to the prosperity of the country. It would seem that he held to the doctrine of humanity rather than to the doctrine of a specific class.

President Taft's signature on his last day in office was the final legislative Act in creating a Department of Labor, the organization of which gave Wilson an opportunity to put his professions to the test. The incoming President invited William

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[1] Baker, R. S., and Dodd, W. E., *New Dem.*, I, 1–7. The party plank is to be found in Porter, K. H., *National Party Platforms*, 328–29.

[2] This statement was made at the time Wilson appealed to Congress to pass the Adamson Act in September, 1916. *New Dem.*, II, 267 et seq.

[3] New Dem. I, 16, II, 302; Harris, H. W., *President Wilson*, 213–14; Kearney, Jas., *The Political Education of Woodrow Wilson*, 34; for Wilson's Labor legislation in New Jersey see Hosford, H. E., *Woodrow Wilson*, Chap. VI.

B. Wilson, a former coal miner and officer in the United Mine Workers of America, to head the new executive branch. This Department was entrusted with the promotion of the "welfare of wage earners" and was given limited powers in the adjustment of labor disputes.[4] Labor was elated over this appointment.

When Congress assembled in special session in April, 1913, to deal with the tariff, the mooted status of labor unions was brought up, which had remained unsettled since the introduction of the Sherman Act in 1890. Labor had always contended that its organizations were beyond the reach of the anti-trust Act, were not combinations in restraint of trade, hence were free from criminal prosecution. Taft had vetoed a measure to enact such a contention into law, as "class legislation of the most vicious sort." There was much speculation as to how Wilson would meet this issue. When his decision was made, he urged the Congressional leaders to secure the passage of the Deficiency Bill making an appropriation for the Department of Justice. This bill contained a "rider" prohibiting the use of any of the $300,000 in prosecuting labor unions and farmers' associations as combinations in restraint of trade. Congress passed the bill with the "rider", though the public was clamorous, alleging class legislation.[5]

Although Wilson signed the measure he palliated his consent by declaring that the "rider" was "unjustifiable in character and principle". He indicated that there were other funds which could be used by the Department of Justice, and he would see to it that the demands of justice were met.[6] If his intention was to satisfy labor with the shadow while retaining the substance, he was apparently successful at this time. Gompers in his *Autobiography* extols the "rider", but ignores all reference to Wilson's reservation.

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[4] *Annual Report*, Sec'y Labor, 1913, 7.

[5] Senator Aldrich had introduced a similar clause while the Sherman Act was before Congress in 1890. *N. Amer. Rev.*, Nov., 1913, 580.

[6] *N. Amer. Rev.*, Nov., 1913. Wilson declared: "I have signed this bill because I can do so without in effect limiting the opportunity or power of the Department of Justice to prosecute violators of the law . . . I do not understand that limitation was intended either as an amendment or an interpretation of the anti-trust law." N. Y. *Times*, Dec. 3, 1913.

This was labor's first major victory in the new administration. The second was to come a year later with the passage of the Clayton Act.

Throughout the 1912 campaign Wilson preached against the attitude of capital towards labor. The relationship, he declared, was not a "merely contractual" relationship. "Capital should be humanized," he argued, "by being brought into a more understanding contact with labor."[7] As this humanizing process proved slow and tedious, Wilson undertook to hasten it in the Clayton Act, passed in 1914. "Labor of a human being," runs Section VI of the Statute, "is not a commodity or article of commerce."[8] The law thus protects labor as the property of the laborer, not of the employer. In arriving at this social attitude Wilson said we "are governed very much more by our emotions than . . . by our reason."[9] To his way of reckoning, this Section was the keystone of his labor legislation, "a return to the primer of human liberty," he said. Gompers called it, together with the "rider" in the Deficiency bill, the "Magna Charta of Labor."[10]

Labor deemed it had won a legal recognition of a man's work as a part of his life and a legal exemption in Section 20 from the Sherman Act for its organizations. Apparently, Wilson shared these views.[11]

But the purpose of the Act as stated by leaders in Congress at the time of its passage differed from the interpretation of the Act by Wilson and Gompers. There was no intention to abolish injunctions in all except extreme cases, the leaders of Congress declared, but to limit them so that they would not affect peaceful disputes between an employer and employees. They were permitted in disputes where violence occurred or where picketing, striking or boycotting were aimed at persons not party to the dispute. The general result of the Act has been stated by a student of it as follows: "that the Act does not greatly enlarge

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[7] *Cong. Rec.*, 64 Cong., 1 Ses., Vol. 15 (appendix) 1395–96.
[8] 38 *Stat. at L.*, 731.
[9] *New Dem.*, II, 227.
[10] Gompers, S., *Seventy Years of Life and Labor*, Chap. XXXVI.
[11] *New Dem.*, II, 279.

the rights of Labor, but it does . . . define and confirm existing rights which otherwise might have been subject to encroachment."[12]

Turning aside from general principles of labor legislation, the President urged Congress in 1913 to grant relief to a particular class of labor, to remove the "unsafe, unjust and burdensome" conditions of seamen on American ships. Taft had "pocket vetoed" a measure purporting to accomplish this end because it conflicted with certain treaty obligations of the United States. La Follette then sponsored a new bill in the Senate more radical in character than the original, while the Federal Reserve Act was under consideration. More than a year was required to secure Congressional approval.

This new bill eased the living conditions of the seaman and gave him the right to demand half his pay on arrival in port, whether under American or foreign registry. It freed him from arrest for desertion, both at home and abroad; this country, and other countries with whom we had treaties to the contrary, were relieved from the police duty of returning deserters to their ships. Greater safeguards were thrown about travel at sea—in view of the recent Titanic disaster—by demanding additional lifeboats and a crew able to understand the orders of their officers.[13] It was this last provision which threatened to work hardship to American shipping, as it meant virtually dispensing with the cheap crews of foreigners. Wilson signed the measure in March, 1915, and it went into effect for ships of American registry six months later, for ships of foreign registry a year later.

Apparently, the President was so carried away by the idea of liberating the seaman from virtual slavery that he failed to examine closely the provisions of the Act applying to the conditions thrown upon ship owners. But he had a sudden rude awakening. American ship owners operating on the Pacific declared that the "language" clause of the Act would compel them to

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[12] Mason A. T., *Organized Labor and the Law*, 244 ff. See Duplex Printing Press vs. Deering, 254 U. S., 443, 1921; Commons, J. R. and Andrews, J. B. *Principles of Labor Legislation*, 105; Berman, Edward *Labor and the Sherman Act*, Chap. VI.

[13] For the Act see 38 *Stat. at L.*, 1165.

release their cheap crews of foreigners and engage higher priced labor, thus entailing an enormous increase in operating expenses. By July, 1915, the San Francisco Chamber of Commerce reported that upwards of 134,000 tons of American shipping engaged in foreign trade on the Pacific coast would retire from business or change to foreign registry. Furthermore, foreign nations had lodged protests against the provisions of the Act conflicting with our treaties.[14]

Faced with these facts, Wilson instructed the Department of Justice to examine the Act to determine whether amendments were necessary. He was favorable to the liberal construction of the "language" clause made by the Department of Commerce, and to the ruling by the same Department that the "inspection" clause of the Act was not applicable to the maritime nations whose inspection laws "approximate" those of the United States. The exigencies of our shipping demands during the Great War caused further abandonment of the letter of the Act, and called forth the wail from Andrew Furuseth, President of the Seamen's Union, that the Act had been virtually nullified by interpretation.[15]

In another direction, that of Child Labor, Wilson pressed for the relief of a particular class of labor. Senator Beveridge had fought for a child labor bill in 1905–06, excluding from interstate commerce the product of mills and factories employing children under the age of 14; from mines and quarries of children under

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[14] James J. Hill, who operated vessels on the Pacific, declared: "Repeal the monstrous Seamen's Act which could not more effectually drive our last vessel from the high seas if it had been drawn with that purpose." N. Y. *Times*, Sept. 15, 1915. For the report of shipping on the Pacific coast see *The Commercial and Financial Chronicle* for July 3, 1915, and issues up to the time the Act went into effect. Many foreign powers came to accept the abrogation of Sections of our treaties which conflicted with the Act. See U. S. *Foreign Relations* for 1916 (pp. 33–41) for action of Brazil, China, Denmark, France and Greece.

[15] The Department of Commerce interpreted the "language" clause to mean: "that is, if the crew understand orders in each department of duty." *Circular* 265, Dep't of Com., Sept. 18, 1915. The consequence was that no class of seamen understood emergency orders out of their line of duty, which was a precaution taken for passengers and one of the principal reasons for passing the Act. An executive order waived the requirement during the war that "watch" officers must be American citizens. N. Y. *Times*, July 19, 1917; *An. Amer. Acad.*, Jan., 1916, 232, discusses the Act.

16. Both political parties in Congress were opposed to this at the time. Wilson himself described the bill as "an obviously absurd" stretch of the power of Congress over commerce.[16] But time revised Wilson's opinions. Then, too, he was a candidate for re-election in 1916. The enactment of a Child Labor Law and a Federal Compensation Act (both of which he urged upon Congress) to all intents completed the social legislation of the Progressive Party in 1912, and would prove a strong appeal to the remnants of that Party.[17] The Southern members of Congress objected to such a measure but Wilson insisted that it be given a place on the calendar. Congress yielded and passed the Child Labor Law, which followed, in general lines, the Beveridge measure of a decade previous.[18]

The Supreme Court ruled the law unconstitutional in June, 1918, declaring that Congress had invaded the province of the States. During the remainder of the war period the federal government accomplished, to a limited degree, the regulation of child labor by inserting restrictive clauses in its war contracts.[19] An attempt was made in the Keating bill, during the war, to shift the basis of federal regulation from the power of Congress to control interstate commerce, to the taxing-power of Congress. In the interest of public health the legislative body had taxed out of existence the manufacture of poisonous phosphorous matches. The same could be done with the products of child labor. Wilson assented "cordially to the plan of basing permanent legislation on the taxing-power of Congress", even after he had received Germany's request for an armistice, which would indicate that he favored this approach to the problem in his post-war legislation.[20] But Congress let the matter drop without positive enactment.

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[16] *Rev. of Rev.*, Sept., 1916, 251. Wilson discussed the control of Congress over interstate commerce in 1908, in his *Const. Gov't in the U. S.* as follows: "May it (Congress) regulate the conditions under which the merchandise is produced which is presently to become the subject matter of interstate commerce? May it regulate the conditions in field and factory? Clearly not, I should say . . . For that would destroy all lines of divisions between the field of State legislation and the field of federal legislation. 170–71.

[17] Porter, *op. cit.*, 338–39.

[18] 39 *Stat. at L.*, 675.

[19] *Rev. of Rev.*, Nov., 1918, 501–03.

[20] *Ibid.*

The outstanding legislation in 1916 in this field, i. e., the Adamson Act, was applicable to a particular group, but the principle involved, the eight-hour day, was a clarion call for all labor. The President was convinced of the justice of the shorter working day. He had approved measures giving certain federal employees the benefit of this decreased working period before the Four Brotherhood's threat came in 1916.[21] To him the eight-hour day "undoubtedly has the sanction of society . . . in the interest of health, efficiency and contentment and a general increase in economic vigor . . . is not arbitrable."[22] As he was convinced of society's sanction, the next step was the enactment of the sanction into law. "Legislation," he declared, "is a business of interpretation, not of origination."[23]

His interpretation of society's sanction was sharply questioned, however, even by those of liberal views. Dr. Charles W. Eliot, the President's staunch friend and supporter, wrote that his (Wilson's) conviction "is, of course, a matter of opinion, and the opinion is common among social reformers." In fact, Eliot pointed out that a uniform working day in the varied industries of the country, as in education, was "inexpedient and undesirable," was "not a benefit, but an injury."[24]

The demands of the trainmen, who formed but 18 per cent of the country's railway employees, included a change in the working hours and pay. The eight-hour day they looked upon as not arbitrable, as also did Wilson. But railway managers held out to the end for arbitration on this point.[25] As a strike loomed with "incalculable results to the country", as Wilson said, he urged Congress, *inter alia*, to approve by statute the eight-hour day and appoint a committee to observe its fiscal working. He recommended also that a provision be made to prevent future railway

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[21] For women and children in the District of Columbia, Feb. 15, 1913; for employees under the Alaskan Coal Land Act, Oct. 20, 1914; retained the eight-hour day for post office clerks and carriers, despite the objection of Postmaster General Burleson, N. Y. *Times*, Sept. 1, 1916.

[22] *New Dem.*, II, 267 *et seq.*

[23] *Ibid.*, I, 82.

[24] N. Y. *Times*, Oct. 22, 1916.

[25] A summary of the positions taken by the parties, and the attempts at peaceful settlement, are to be found in the *Amer. Yearbook*, 1916, 433–34; Berman, E., *Labor Disputes and the President of the United States*, 106 et seq.

strikes until after an official investigation had been undertaken.[26] Canada had an Act framed along this same line.

As Congress opposed the enactment of his entire program, Wilson compromised and accepted the eight-hour day and the investigating committee.[27] But he remained interested in his recommendations not included in the Adamson Act. To the National Congress of Farmers he wrote that there were "no industrial or commercial" disputes which could not be equitably settled by arbitration. Indeed, he held "forced arbitration" necessary in disputes unadjustable by mutual agreement, and urged the agrarians "to memorialize the Federal Congress" to enact laws to this end.[28] In his annual message in 1916 and by personal appeals at the Capitol, he pressed his case up to the time of our entrance into the war. Congress soon became engrossed in other matters and the recommendations were swallowed up in the vortex of war legislation.

With the declaration of war against Germany, our labor troubles began in earnest and continued until Wilson left office. In spite of the War Labor Board, the War Labor Policies Board and the many federal adjustment boards, we had no effective

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[26] For Wilson's address to Congress see *New Dem.*, II, 267 et seq. The Canadian Act is discussed by W. L. Mackenzie King (former Minister of Labor for Canada and author of the Canadian Industrial Disputes Act) in *World's Work*, Aug., 1913, 438 et seq. The President urged the railway managers "to visualize the terrible consequence to this country and its people of a nation-wide strike at this time, both affecting our own people and in its effect upon the Allied forces across the sea . . . The Allies are fighting our battle, the battle of civilization. . . . They cannot "carry on" without supplies and means of sustenance which the railways of America bring to them." Tumulty, J. *Woodrow Wilson as I Knew Him*, 199–200. In the summer of 1913 Wilson had intervened in a railway strike when the parties had failed to agree. A conference at the White House with the disputants revealed that both sides were willing to accept arbitration as provided in the Newlands bill then before Congress, which increased the number of arbitrators provided in the Erdman Act of 1898. Wilson then placed the pressure of the administration back of the Newland's bill and it speedily passed Congress. N. Y. *Times*, July 15, 16, 1913. For text of Act see 38 *Stat. at L.* 103.

[27] Wilson's program included: (1) enlarging the membership of the I. C. C.; (2) establishment of the 8-hour day; (3) setting up a commission to study the working of the 8-hour day; (4) approval by Congress of an increase in freight rates by the I. C. C. if recommended by the commission; (5) enactment of a law prohibiting a strike until a public investigation has been made; (6) power for the executive to control railways if demanded by war.

[28] N. Y. *Times*, Oct. 18, 1916.

labor policy during the war. In 1917 the U. S. Bureau of Labor Statistics reported a total of 4,450 strikes and lockouts. For the next year, when our war efforts had attained their highest efficiency, 3,337 such cases were reported.[29] A British statesman who visited this country during this period remarked that England would have had to surrender to Germany if she had suffered one-eighth of the labor troubles he had observed here.[30] While this statement is adversely critical, it is not without a touch of satisfaction to remember that we weathered our troubles. In spite of labor troubles, and the loss of four million men from production to the fighting forces, with limited immigration during our war period, we managed to supply ourselves and provide surpluses for the Allies. Labor disturbances slowed down our processes, but we muddled through, leaving the serious problem of high wages to the post-war period.

Wilson was too engrossed with a great variety of matters during the war to devote more than a supervisory attention to labor problems. These problems were turned over to a War Labor Administration headed by the Secretary of Labor, with the Council of National Defense and the various departments engaged in securing war supplies as members.[31] While the United States was still neutral, war orders from the fighting nations netted huge profits to industrialists in this country. Labor demanded and received increased wages when employed in filling such orders. There was also a general demand for increased wages in other than war industries, provoked in part by the rising cost of living. Each industry endeavored to settle its wage problem separately, which led to numerous disputes and a shifting of labor where higher wages could be secured. This diversity of labor conditions continued in the war period and was one of the causes of our industrial troubles. It was not until a few

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[29] *Monthly Labor Rev.*, June, 1920, 506.
[30] N. Y. *Times*, Nov. 17, 1917. Labor had promised its cooperation at the beginning of the war. *Ibid.*, Apr. 9, 1917.
[31] *Annual Report*, Sec'y. Labor, 1918, 95.

months before the Armistice was signed that a comprehensive attempt to regulate labor supply became effective.[32]

The President was fully conscious of the task of organizing labor to back our industries. He pitched his appeal, when asking for support, on the high plane of patriotism, the necessity for the "spontaneous cooperation of men from all walks of life."[33] Early in the war he obtained the promise of Samuel Gompers, President of the American Federation of Labor, to work with the government in avoiding strikes; by putting Gompers in the position of aid and adviser to the administration he gained the good will and cooperation of the A. F. of L. and its affiliated unions. The economic status which labor had attained, especially in the Clayton Act, pleased Wilson immensely. It was his desire that such standards of "labor and life" should in no way be curtailed by war emergencies, whose effects were often reactionary. A measure supported by both Houses of Congress which would increase the hours of labor for certain government employees received a Presidential veto.[34] It was with extreme dissatisfaction that he looked upon the attempts of several States to relinquish their labor laws.[35]

Patriotism plus a share by labor in the early contracts between the government and industries doing war work started our industrial program. On June 19, 1917, Secretary Baker and Gompers signed an agreement for the "adjustment and control of wages, hours, and conditions of work" in the construction of the cantonments.[36] Shortly after, the above agreement was extended to all construction work carried on during war time by the War and Navy Departments and the Emergency Fleet Corporation.

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[32] Two forces working against the mobilization of labor were: (a) competitive bidding for labor by the government departments and private contractors, (b) the unequal and poor distribution of labor. *An. Amer. Acad.* July, 1918; 74. An attempt was made to eliminate this labor turnover by the establishment of the U. S. Employment Service to recruit the labor necessary to carry on war work. *Annual Report*, Sec'y. Labor, 1918, 115: Young, E. W., *The Wilson Administration and the Great War*, Chap. IV: *Atlantic Monthly*, Aug. 1918, 178 et seq.

[33] *War and Peace*, I, 36.

[34] *Cong. Rec.*, 65 Cong., 2 Ses., Vol. 56, 8577.

[35] N. Y., Mass., Conn., and Ill. *An. Amer. Acad.*, July, 1918, 94.

[36] Gompers, S., *Seventy Years of Life and Labor*, 373-74; *American Labor and the War.*

In August, 1917, the Committee of National Defense set up an adjustment commission and decreed that all future government contracts involving laborers and mechanics should include: (a) a wage scale; (b) an eight-hour day and time and a half for overtime.[37]

In branches of war work where labor had no voice in making the contracts, strikes were prevalent, in fact, so prevalent that such disturbances throughout the West and Northwest threatened to lessen the output of copper and oil to the extent of diminishing the production of aircraft and ships.[38] A board appointed by Wilson to inquire into the cause of these disturbances and make recommendations for a future policy for labor, reported about a year after our entrance into the war the following basis: (a) right of labor to organize and bargain collectively; (b) existence of union and non-union shops; (c) employment of women on an equal wage basis with men for the same work; (d) eight-hour day where required by law, with joint settlement otherwise; (e) right of all workers to a living wage.[39] The same board was then reappointed by the President to sit in judgment in all future disputes. Its findings were accepted in all cases except three where the President acted summarily in backing up its findings. He drafted the recalcitrant industries into the federal service and removed the "exemption" privilege from a group of workers, thus leaving them open to immediate draft into the fighting forces.[40]

The bounding rise in the cost of living during the war increased labor disorders. Enemy propaganda and the "Red" menace from Russia were contributory to this cancer in our war work. The War Labor Board received upwards of 1,200 cases, in 37

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[37] N. Y. *Times*, Aug. 10, 1917.

[38] *Annual Report*, Sec'y Labor, 1918, 12.

[39] *Ibid.*, 12 et seq. Reports of the Board are to be found in the *Annual Reports*, Sec'y Labor, 1918, 99–111; 1919, 120–32; 1171–1298. See also Willoughby, W. F., *Government Organization in War Time and After*, Chap. IX-X.

[40] *Annual Report*, Sec'y War, 1918, 106–09. The Senate passed the "Man-Power Act" under which men between 18 and 45 were drafted into the service. An amendment "work-or-fight" was inserted, but dropped because the substance of it was contained in the body of the Act. N. Y. *Times*, Aug. 28, 1918. A full discussion of the strikes during the war is contained in Bing, Alex. M. *War-Time Strikes and their Adjustment.*

per cent of which it handed down decisions and awards. The remainder were referred to other agencies having primary jurisdiction, or dismissed.[41] An examination of the cost of living and wage increases reveals that the latter was greater, extended over a period from 1914 to 1920.[42]

To sum up, the war worked immeasurably to the benefit of labor in this country. Labor lost nothing that had been gained by statutes, i. e., the Adamson Act. During the war period wages were increased to keep pace with the cost of living and the cost of living rose with higher wages. The shorter working day was widely practiced, with liberal compensation granted for overtime. Collective bargaining took place on an extensive scale. Furthermore, labor grew in class consciousness, which led to unbounded spread-eagleism. In the post-war period labor was loathe to surrender any of its improved status, and Wilson supported Gompers in this demand.

The assertion has been made, without evidence to prove it, that Wilson entered into a "deal" with Gompers respecting labor during the war. Nothing thus far disclosed substantiates such a "deal". Wilson from the beginning of his Presidency had been vitally interested in the advancement of labor on humanitarian grounds. The conditions of the world after our entry into the Great War made further advancement inevitable.

The Allied Missions to this country shortly after April, 1917, disclosed their perilous economic and financial condition. Mr. Balfour cabled in July, 1917, that unless the United States could fully meet the Allied expenses in this country ". . . the fabric

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[41] *Annual Report*, Sec'y Labor, 1919, 122–23.

[42] The *Monthly Labor Rev.*, Vol. X, 1367, gives the retail prices of 22 articles from 1913 to 1920 as follows, using 100 as the basis:

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| 1913 | 100 | 1917 | 146 |
| 1914 | 102 | 1918 | 168 |
| 1915 | 101 | 1919 | 186 |
| 1916 | 114 | 1920 (Jan.) | 201 |

The total increase in the average family budget between July, 1914, and March, 1920 was 94.8 per cent. See "Changes in the Cost of Living," research report, No. 28, *National Industrial Conference Board*. See also pamphlets 9, 14, 17, 19, and 25. For the increase in wages see pamphlet No. 31. The average "hourly" increase in ten basic industries was 146.5 per cent from Sept., 1914 to Mar., 1920; "weekly" increase for the same period was 122 per cent.

of the Alliance will collapse. This conclusion will be a matter of days, not months."[43] Undoubtedly, this threatened ruin of the Allies led Wilson to declare that the raising of the Army and Navy was the "simplest part of the task to which we have addressed ourselves." To have failed in financial and material aid at this time would probably have spelled doom for the Allies and victory for Germany. This chain of reasoning need be carried only a step further to point out that those charged with productive processes must be encouraged. Lack of war materials would have meant the prolongation of the war with needless human sacrifice, possible victory for Germany, and the transformation of the world into an armed camp. If the status attained by labor during the war should prove a thorn during the reconstruction period, this problem seemed slight in comparison with dealing with a victorious Germany. The alternative was clear: The encouragement of American Labor to strengthen the sinews of war and invest in Liberty Bonds, or a continuance of the war. Wilson elected the former, a statesmanlike choice, it seemed.

When the Armistice was signed, the War Labor Board remained to function throughout the troublesome period of readjustment. Certainly the post-war labor troubles proved equally, if not more, burdensome than those of the war. During the period of hostilities, patriotism was a bond to hold men to their tasks. Once the armistice was signed, this appeal lost much of its effectiveness. The government's cancellation of many war contracts on as equitable a basis as possible created widespread unemployment. To this group were to be added many returning soldiers. At the same time a rise in the cost of living added to the anxieties of labor. Wilson's attempts to control the cost of living through measures already on the statute books were only partially efficacious, as were his appeals to labor to delay their demands until government machinery had been given a reasonable time to bring about cheaper living conditions.[44]

Wilson took up the labor problem in a special message to Congress, which convened in May, 1919. The Republicans had cap-

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[43] McAdoo, W. G., *Crowded Years*, 412.
[44] *War and Peace*, I, 558–71; 582–83.

tured both Houses the previous November, which lessened his chances of enacting any measure savoring of party draftsmanship. He pitched his remedy on a plane which overtopped partisanship. The object of all reform in this field he declared to be the "genuine democratization of industry . . . to give the workers a right to participate in every decision which directly affects their welfare."[45] The latter condition was the "collective bargaining" practiced during the war carried into peace time. What he meant by the "genuine democratization of industry" he did not explain. The implications of his "democratization" process are enormous. He apparently took the position that it was a question whether the whole present system of organization of industry did not rest on a fundamentally defective basis. Following close upon the appeals of the President to the peoples in Europe over the heads of their constituted governments, his "democratization" gave countenance to the belief that his sympathies were with much of the radical labor agitation then rampant in this and other countries. An extreme expression of this belief was given by Senator Poindexter in July, 1919, who declared that the President was sympathetic with, if not a supporter of, the Red regime in Russia. He was the "world's greatest menace!"[46]

The Senate Committee on Education and Labor conducted an inquiry in January, 1919, among various shades of opinion to find a basis upon which reconstruction legislation could be erected. The American Federation of Labor made *inter alia* the following demands for labor: (1) the wage scale should be continued at war standard; (2) it be made a criminal offense to tamper with the organization of labor; (3) public and semi-public utilities be put under government control or ownership; (4) immigration be prohibited for two years after the close of the war.[47]

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[45] *War and Peace*, I, 488.

[46] See report of speech in N. Y. *Times*, Sept. 28, 1919.

[47] N. Y. *Times*, Jan. 16, 1919. Wm. H. Barr, President of the National Founders' Association, had said that the eight-hour day would have to be abolished, and wages materially reduced. Gompers, in an address before the Pan-American Labor Conference at Laredo, Texas, declared: ". . . the American working people will not be forced back by either Barr, his associates or all the Bourbons in the United States." *Ibid.*, Nov. 17, 1918.

Because of an increase in strikes throughout the country and the failure of Congress to find a solution for the industrial ills, Wilson called (September 3, 1919) a Labor Conference of twenty-two members representing capital, labor and the public. There were 122 strikes under way at the time and 53 threatened. The Conference convened in Washington in October, to study "those ways and means" which had led to industrial peace in many industries so "that these methods may be extended more universally."[48] But the groups soon split over the application of "collective bargaining."[49] The labor and public group accepted the statement of Gompers on this point, while the capital group opposed on a divided vote. A majority of the whole individual membership was favorable to the Gompers principle. Wilson appealed from his sick bed for a setting aside of the knotty problem and the study of other problems.[50] But the morale of the Conference was dissipated. The capital and labor groups were in no mood to continue, and the issue was sharply drawn between them on the principle upon which their future relations were to turn.

On the recommendation of the Public group a second Conference—the President's Industrial Conference—was convoked on December 1st to cover the field in which the first had failed. The seventeen members of this body were not chosen by the President with the "group" idea in mind. It was believed that the freedom from group leanings would give them greater detachment in view point. Wilson's "charge" to the body was similar to that given to the first. After four months' study the Conference recommended: that Congress be asked to set up a scheme of settlement for industrial disputes "on a local, regional and national basis" through collective shop agreement.[51] Labor opposed this report "for the reason that it organizes them

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[48] *War and Peace*, II, 417.

[49] The employers stood for the open shop as the accepted unit and for freedom to refuse to deal with "outsiders"; whereas the workers stood for collective bargaining through trade union representatives. *Amer. Yearbook*, 1919, 462.

[50] N. Y. *Times*, Oct. 23, 1919.

[51] *Annual Report*, Sec'y Labor, 1920, 236–71.

(employees) away from each other and puts them in a position where shop may be played against shop."[52]

Industrial unrest was still seething in this country, as in the rest of the world, when Wilson sent his message to Congress in December, 1919. He devoted more than a third of this long message to diagnosing this particular ill in the body politic. Having received no constructive aid in principles from his Labor Conference, he returned to his tenets announced to Congress the previous May. But the wide spread unrest of the summer and fall emboldened him to speak frankly and go beyond the earlier stand. Labor throughout the world, he declared, was rebellious to the point of revolution because governments had continually exercised repression, and had failed to legislate constructively or to lend an attentive ear to labor's former demands. The time had now come, the President affirmed, "to recognize the fundamental concepts for which labor had been struggling throughout the years."[53] He pointed out that the Covenant of the League of Nations laid down the way "to industrial peace and conciliation . . . No other road lies open to us,"[54] he said. Congress must act lest the seed of revolution—"repression"—engulf this country.

What Congress had done in the past for labor in this country was insufficient; it must aid in bringing about a "genuine democratization of industry" based upon the "full recognition of the right of those who work . . . to participate in some organic way in every decision which directly affects their welfare," the President argued.[55] "It is a conviction all over the world," he declared, "that there is no use talking about political democracy unless you have also industrial democracy."[56] After returning from sign-

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[52] *Literary Digest*, Apr. 3, 1920.
[53] *War and Peace*, II, 438.
[54] The article reads: "Subject to or in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the members of the League: (1) will endeavor to secure and maintain fair and humane conditions of labor for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend. . . . " Article 23.
[55] *War and Peace*, II, 438.
[56] Foley, H. W., *Woodrow Wilson's Case for the League of Nations*, 165–66.

ing the Treaty at Paris he announced that "we have not finished in dealing with monopolies . . . with the control of the few, of whatever kind or class, there can be no democracy of any sort." This, it would seem, left capital in a state of uncertainty as to what to expect during the remainder of his administration.

On the other hand, "Capital," he declared, "should receive a reasonable return upon its investment and is entitled to protection at the hands of the government in every emergency."[57] He recognized the right of the individual to strike as "inviolate". But the right of the government to protect all its people against the challenge of any class was "predominant", he argued, thus reaffirming a stand he had repeatedly taken throughout his administrations.

The war decreased immigration (which formerly contributed regularly to our labor supply) about 65 per cent.[58] Our war-time production was thus carried on without a large yearly immigrant supply and with a steadily decreasing supply of our labor in this country as some four millions were drawn into the fighting forces. Due to the exigencies of the War and the government's control of many industries—actually or by virtue of priority of orders—it was a mild form of collectivism we practiced, with a high rate of production and standard of living for the workers.

Part of the post-war labor problem was to determine whether there should be a return to the pre-war standard of low wage and living scale and a labor-reserve. Prior to 1914 we had maintained a labor-reserve adequate for the employer's needs in his busiest seasons. There was no responsibility felt by the employer to supply work throughout the whole year. A restriction on immigration would likely diminish the labor-reserve or make it negligible, and cause industry to operate more efficiently and steadily. Under such conditions the curve of wages and living conditions would be upward. Wilson vetoed two immigration bills in 1915 and 1916 because of the "literacy clause" contained in

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[57] *War and Peace*, II, 438–42.

[58] *Atlantic Monthly*, Apr., 1919, 483 ff. The total immigration from 1914–18 was 1,031,547, or 186,933 less than in 1914. During the same four years, 494,701 aliens left the United States. *Annual Report*, Sec'y Labor, 1920, 462–63.

them. He considered such a clause un-American. Congress passed the measure over his veto in 1916. In view of our alien troubles during and since the War, Wilson's objection to the "literacy clause" has been seriously questioned as to its wisdom. During the War the President favored drastic control over immigration, which was accomplished by passport regulation. On his last day in office he refused signature to an immigration measure which provided for a quota or percentage basis for incoming aliens. As no reasons were given for this refusal, it is probable that he was still upholding our traditional policy in respect to immigration.

His refusal to accept immigration after the war could only lead, it would seem, to a pre-war basis of labor-reserve, with consequent low wages and standard of living.

By way of summary: Wilson was sympathetic to labor on coming to the Presidency. The advancement of the interests of labor on humanitarian grounds fell in with his liberal principles, as did the curtailment of predatory monopoly. Such standards of "labor and life" which the workingman had won through the Clayton and Adamson Acts he was unwilling to see forfeited during the War. The perilous financial and economic conditions of the Allies on our entry into the struggle made credits and sinews of war our principal contributions. Hence the President chose the obvious policy of meeting those demands of labor during the war period, which he deemed reasonable in order to keep our productive processes in action. The alienation of labor would have spelled failure for our industries, and would have resulted in the possible loss of the conflict.

In the post-war period, labor demanded that the status attained during the war be continued, to which Wilson, it would seem, unwisely acceded. The prevalence of strikes after the war led the President to convoke two conferences representing capital, labor and the public, to study the causes of discontent and propose remedies. As no principles of great constructive value came from these conferences, Wilson declared that the only hope for industrial peace lay in the "genuine democratization of industry." What he meant by the "genuine democratization of industry" he did not explain. Capital was left in a state of

uncertainty, and hence was unwilling to make large future plans. In this way, his panacea for industrial troubles, which left capital uncertain for the future, would seem to react harmfully to labor.

While Wilson, true to his doctrine of humanitarianism, sought to advance the interests of labor through statutes, such statutes fell short of his expectations, both in enactment and enforcement. Due to his refusals to accept immigration restriction he left the way open for a labor-reserve in this country, which was the case prior to 1914. A labor-reserve meant lower standards of wages and living, it would seem. Congress, opposing his stand, acted affirmatively on immigration. In the end, Wilson seems to have provided no tangible solution for the troubles between labor and capital.

## VII

### Legislative Leadership of the President

Wilson was early (1884) a disciple of Cabinet government, insisting that this system of government was a remedy for the main defects in Congressional government, i. e., a lack of leadership. "Let the leaders of the party," he wrote, "be made to suffer punishment which shall be at once personal and vicarious when their policy goes astray"[1] Thirteen years later he was still pointing out the "Leaderless Government" in this country. But his remedy at this time was not full-fledged cabinet government. He proposed to draw the Legislature and Executive closer together.[2] "This will be done," he declared, "when the Executive is given an authoritative initiative in the Houses."

By 1908 Wilson had gone further in developing his ideas of the Presidential office. The President, he wrote, was being looked upon "as the unifying force in our complex system, the leader both of his party and the nation."[3] Party leadership was given him by virtue of the method of his choice. "His (the President's) is the only national voice in affairs." And if he rightly interpret the thought of the people "he is irresistible," to quote Wilson. The power lay in his hands, not only to lead the country but form it to his views. "His office is anything he has the sagacity and force to make it."[4]

It was this conception of the Presidential office which he carried to the White House. He had apparently abandoned his earlier views of Cabinet government; at least he no longer proposed a change in the Constitution necessary to make such a system legal in this country.[5] Certain elements of the system remained with him and were widely practised throughout his two administrations, i.e. appearing in person to deliver his messages to Con-

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[1] *College and State*, I, 112.
[2] *Ibid.*, 358.
[3] *Const. Gov't.*, 60.
[4] *Ibid.*, 69.
[5] For example, second clause of Art. I, Sect. VI.

gress; assumption of the leadership both of his party and the nation. There were rumors that he considered resigning when Congress failed to accept his leadership.

With this idea of personal leadership so dominant in his thinking he assumed the initiative in legislation and appeared personally in Congress, thus breaking a precedent of more than a hundred years. The reason he gave for this appearance was "one human being trying to cooperate with other human beings in a common service."[6] He had implicit confidence in his own ability "in domestic affairs in most cases to come pretty near a guess where the thought of America is going."[7] His early training in public speaking made him an accomplished master in the art of presentation. The records indicate that he considered himself the judge of the occasions for summoning the two Houses in joint sessions to receive messages from the President. The boldness of his leadership, apparently, appealed to the nation. In 1908 he had written "The country never feels the zest of action so much as when the President is of such caliber and insight."[8] The fighting quality of the man was a tremendous asset in his favor. A survey of his early legislative measures, i.e. banking and trust legislation, indicates that he emerged from the struggles over them with enhanced prestige in the country. Perhaps the same cannot be said in regard to conflicts with Congress. Where opposed by Congress, as head of the nation and party leader he carried his case to the country, i. e. statement opposing the tariff lobby issued during the sessions of the Underwood bill, his Preparedness and League tours.

An analysis of his messages to Congress reveals that, in general along with other Presidents, he presented broad outlines of policies, leaving details to be worked out and organized by Congress. In this way, he gave the country at the same time information and statements of policy which enabled it to form judgments alike of parties and men. However, he held himself ready to provide additional information to Congressional Committees charged with drafting bills.[9] "Alaska as a storehouse

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[6] *New Dem.*, I, 32.
[7] *Ibid.*, II, 173.
[8] *Const. Gov't.*, 68.
[9] *Infra.*, 37, 65.

must be unlocked," he declared; then he unfolded a conservation program, the main lines of which followed the party's platform in 1912.[10] In only rare instances, it would seem, did he attempt to impose detailed policies on Congress in his messages.[11]

The personal appeal to Congress was only one method by which Wilson, as President, exercised executive leadership in legislation. He held that the President had the "rôle of party leadership" thrust upon him by the very method of his choice.[12] In his first administration there is one instance at least, i.e. Woman Suffrage, in which he refused to go beyond his party's stand.[13] But this caution was soon thrust aside. He began to formulate party policy, alone or with advisers. Much of the war policy, i.e. Selective Conscription, was opposed by substantial numbers of his own party in Congress.[14]

In my opinion, the necessities of government demand that those charged with conducting affairs be empowered to formulate policy beyond the point where parties have spoken, or to set aside party position when occasion demands. Especially did this seem necessary during Wilson's administrations. The Democratic party was inexperienced in directing government; it had formed the "opposition" for twenty years. Moreover, Wilson came into office as a Liberal, at the head of a party which was not united in its Liberalism. With the exception of Bryan, Wilson, perhaps, was the principal Liberal in the party. Hence it seemed necessary that he have the right to formulate party policy; as party leader and as principal advocate of the party's philosophy on which it came into office.

On the advice of his close associates he elected "to work with the leaders of Congress in 1913, Conservatives and Progressives alike, just as long as it was possible."[15] This decision was "certainly one of the most important of his political career."[16] He would try to win the Conservative elements to his views. Through

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[10] *Infra.*, 32.
[11] *New Dem.*, I, 421–22, for example.
[12] *Const. Gov't*, 66.
[13] *Infra.*, 23.
[14] *Infra.*, 54.
[15] N. Y. *Herald-Tribune*, Nov. 19, 1931, R. S. Baker writing.
[16] *Ibid.*

conferences at the White House, in the President's Room at the Capitol, or by steady pressure of personal letters to those who opposed his policies, he sought support for his leadership.[17] He did not hesitate, however, to fight opposition at its source when he deemed it necessary. When Democratic resistance to Americans travelling on armed merchantmen was shown in the House, a Resolution was framed embodying this resistance, to which the President objected. As the Resolution showed a divided sentiment in the government, which aroused criticism abroad, Wilson asked the Rules Committee in the House to arrange for an early vote. He justified his action in invading Congressional Committees by declaring: "The matter lies clearly within the field of executive initiative."[18] Congressional Committees when hopelessly divided on framing policies frequently resorted to the President as party leader, for advice. In two typical cases, i.e. Prohibition and Woman Suffrage, his advice was accepted and written into statutes.[19]

Under his conception of party leadership he invaded party organizations within the States. This was the case during the War when the issue of "loyalty to the administration" arose in respect to certain candidates for Congress from both parties.[20] Nor were State Legislatures secure against his invasion.[21]

Under the stress of war, Wilson's legislative leadership secured power from Congress to control food, transportation, etc.[22] In the matter of food control, he pointed out that the power granted was "no greater than it was found necessary to lodge in other Governments" engaged in the war.[23] The execution of these immense powers Congress left largely in the hands of the President with such agencies as he might set up, whose activities were limited to the period of the War. Following open criticism on the conduct of the War, Wilson, in the Overman Act, received power

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[17] For example, see N. Y. *Times*, Jan. 20, 1917.
[18] *New Dem.*, II, 129.
[19] *Infra.*, 14, 25–26.
[20] N. Y. *Times*, Aug. 21, Sept. 8, 12, 13, 1918.
[21] *Infra.*, 23, 28.
[22] *Infra*, 55.
[23] *War and Peace*, I, 42.

from Congress to reconstruct existing government agencies in order to secure better coordination.[24] Thus the times, coupled with the legislative leadership of the President, established a system of administration which could function under abnormal conditions. It is possible that this procedure of granting the President great latitude in carrying out large grants of power foreshadows a sol ıtion for the federal government of the future as it grows more complex.

The foregoing pages show the President's positive leadership in legislation. However, he exercised a negative leadership through his use of the veto. He wrote in his *Congressional Government* (1884) that the President in exercising the veto power "his most formidable prerogative—acts not as the Executive but as a third branch of the Legislature."[25] Twenty-three years later his thinking on this subject had undergone a complete change. In his *Constitutional Government* he describes the growth of the Executive and the effect of such growth on the wielding of the veto. The Fathers, he wrote, looked upon the President as the "legal executive—the veto was his only check on Congress, was a power of restraint, not of guidance."[26] As the evolution of the office made the President "leader both of his party and the nation in political purpose, and therefore in legal action" writes Wilson, "no President has hesitated to use the veto when in his judgment the public good was seriously at issue with that of the Houses."[27] An examination of Wilson's vetoes indicates that he had both the power of guidance and restraint in view when exercising this constitutional right. He did not subscribe to Jefferson's idea that the principle of constitutionality was the basis for the exercise of this power.[28] Rather, he held to the views of Jackson and Cleveland, exercising executive independence in the use of the veto.[29]

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[24] *Infra.*, 55–56.
[25] Intro., 52.
[26] *Const. Gov't.*, 59–60.
[27] *Ibid.*, 73.
[28] *Writings* of Jefferson (Mem. ed.) III, 152–53. For Hamilton's Theory of the veto see *The Federalist* No. 73.
[29] Bassett, J. S., *Life of Andrew Jackson*, II, Chap XXIII ff; McElroy, R. M. *Grover Cleveland*, I, 189 ff.

Wilson's use of the veto was not as extensive as was that of Cleveland and Roosevelt. The former returned over two hundred pension bills; Roosevelt returned forty measures to Congress, Taft thirty, and Wilson thirty-three.[30] There has been no previous study made of this side of Wilson's legislative leadership.

His vetoes may be grouped under four classifications: (1) To uphold traditional policy. He returned two immigration bills to Congress because they contained the literacy clause. Such a clause, he declared, constituted a radical change in the "policy of the nation which is not justified in principle."[31] In view of the radical disturbances during and since the War, the wisdom of Wilson's action is open to serious question. With the same principle in mind he vetoed the Resolution of May 20, 1920, terminating the War against Germany.[32] These two vetoes would seem to indicate the power of guidance. (2) To prevent the encroachment of the Legislature upon the Executive—the power of restraint. A bill was returned to Congress which proposed to set up a budget system in which Congress retained the power to remove the Controller and Assistant Controller. Wilson was convinced that Congress was without the authority "to limit the appointing power and its incident power of removal."[33] More than two-thirds of his vetoes were administered (3) To defend the public interest—the principle both of guidance and restraint. For example, he refused to sanction a measure permitting certain cities in the West to establish cemeteries and parks on public lands. During the War he negatived a bill setting the price of wheat at $2.40 a bushel, basing his refusal on the "inelasticity of the principle."[34] (4) Two measures were returned to secure greater precision in language, illustrating the principle of guidance.[35]

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[30] Beard, C. A., *Amer. Politics and Gov't.*, 210. Jefferson, the Adamses, Van Buren, Harrison, Taylor, and Garfield, failed to exercise the veto power. Ford, H. J., *The Rise and Growth of Amer. Pol.*, 179; Mason, E. C. *The Veto Power*, 126.

[31] *Cong. Rec.* 63 Cong. 3 Ses. Vol. 52, 2481-82.

[32] *War and Peace*, II, 492-94.

[33] *Cong. Rec.* 66 Cong. 2 Ses. Vol. 59, 7026; for additional example see *Infra*, 76.

[34] *Cong. Rec.*, 65 Cong., 2 Ses., Vol. 56, 9049.

[35] *Ibid.*, 65 Cong., 2 Ses., Vol. 56, 5241; 66 Cong., 2 Ses., Vol. 59, 8280.

To summarize: The exercise of Wilson's legislative leadership, positive and negative, has been discussed above. Ex-Secretary Daniels expressed the results of this leadership when he wrote: "Every measure which President Wilson urged upon the Legislative branch was enacted into law until he was stricken in September, 1919."[36] This statement would seem to emphasize the President's personal leadership.

In order to complete the picture, however, it must be added that the President had difficulty in securing the passage of even essential legislation after he was stricken and no longer able to exert personal leadership. There was as great necessity after 1918 for successful piloting as during the active War years, but Congress became Republican in 1918 and the chasm between the Houses and the President widened. As one reads the speeches of the President from 1912, one feels that he sensed the difference between Liberals and Conservatives, between Progressives and Standpatters; that he often went beyond party lines. Yet after 1918, he was apparently unable to muster Liberal support or hold sufficient Conservatives of his own party to write his legislation into statutes.

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[36] Daniels, *op. cit.*, 203.

## VIII

### Conclusions

Woodrow Wilson had been a careful student and a successful teacher of History and Politics for more than a quarter of a century before he came into public office. During this period he had written extensively in both of these fields. This was part of his equipment for the Presidency. His administrative experience had been gained through eight years as President of Princeton, followed by two years as Governor of New Jersey. His political experience was confined to those two years as Governor. With this limited contact with practical affairs he came to the Presidency to test theories formed, for the most part, as a student of Politics.

The President entered office an advocate of a States' Rights settlement of the liquor problem, which he regarded as a social and moral issue. From this position he was forced by the War; his acceptance of Wartime Prohibition was gradual and based, largely, on social and economic reasons. Although he vetoed the National Prohibition Act in 1919, there was no reference made by way of approval or disapproval of either the Eighteenth Amendment or the Volstead Act. By 1920 he seemed to favor a change in the latter, but was convinced that Congress had spoken conclusively against such a change. When he left office the peculiar evils of Prohibition, i.e. bootlegging, etc., with which we are so familiar today, had not developed. Thus he was not faced with the task of dealing with them.

In 1924, when these evils had become more apparent, he privately proposed a plan which would make the States solely responsible for the local execution of the Eighteenth Amendment, and the Federal Government responsible for the prevention of importation and interstate shipments. He declared that the Amendment and the Volstead Act should remain unchanged. In the light of present day opposition to Prohibition and the demand for either alteration of the Volstead Act or repeal of the

Amendment, his plan appears insufficient. Placing enforcement upon local units offers no legal escape from the Statutes.

Another problem to be solved directly by the States, Wilson believed, was Woman Suffrage. Throughout his first administration he consistently refused to support a federal amendment in Congress providing for Woman Suffrage. However, during this same period he took an active part to secure direct action by States. It was not until 1918 that his policy toward a federal amendment was changed. Influenced, in part, by appreciation of the unselfish devotion of women in war work, he espoused their cause for federal action. But the cause, he announced, was also an integral part of our leadership of liberal opinion in the world. In 1918 England and Germany had granted suffrage to women; we could not afford to lag behind, he declared. The question of woman's capacity to exercise political rights was not raised; the point at issue, it seemed, was far broader. Once Congress had passed the amendment, the President urged ratification by States.

The cause of suffrage had been championed in this country for seventy years, but, apparently, the war coupled with Wilson's leadership, brought it to consumation.

The President held that Conservation of natural resources was a problem to be handled directly by the Federal Government, not by the States. Under Taft and Roosevelt the policy pursued was one of locking up the country's resources until their probable value could be determined. Under Wilson's administration this "negative reservation" was changed to one of "positive conservation". Mineral lands were opened in limited areas on a rental basis, the government retaining ownership of such lands. An identical policy was adopted with respect to water power development. It was believed that such a system would prevent monopoly and benefit greater numbers of citizens. Experience in the past had demonstrated the necessity for protecting the public interests against the greed of private capital.

The President illustrated in this policy that the administrative office is a public trust and not a private gain. It is probable that, in view of recent oil scandals, "positive conservation" will continue to be the Government's policy, in order to prevent a misuse of our natural resources.

National defense, of which natural resources constitute an important part, caused Wilson to travel far in thought and action. A pacifist at heart in 1913, he demanded "force to the utmost" in 1917, and left office an advocate of compulsory military service with a large standing army. It is debatable whether he considered this last named policy permanent, or only a temporary means to an end.

His naval and military programs of 1916 were openly criticized as inadequate, to which he replied that as a mediating neutral he must illustrate in practice as well as in thought America's influence to "counsel peace in the world." Evidence shows that the country west of the Appalachians did not view the World War with the same concern as the population of the Atlantic Seaboard. It seems he was wise in his choice of specific features in the 1916 program. By refusing to emphasize the development of submarines, for example, he judiciously avoided suspicion abroad. Events of the war demonstrated that even the extreme programs advanced by critics of the President during 1915–16 would have proved meager in comparison with the naval and military forces finally mobilized.

His defense policy after the Armistice was based on the situation produced by our refusal to enter the League and the state of the world at that time. While a second building program for the Navy was advocated before leaving for Paris in 1918, he was, doubtless, using political strategy here. The program was officially abandoned in May, 1919, but revived again eighteen months later after the Senate had definitely rejected the League. His plan of compulsory military service and a standing army of half a million men was, to my mind, unwarranted. A detailed study of the President's defense ideas makes one doubt whether he advocated this as a settled policy for the country. His conception of the League as an instrument of peace would lead one to the conclusion that if the Senate had accepted the League Wilson would have returned to the traditional Democratic policy of small defense programs.

If Wilson sacrificed Democratic traditions in defense matters he clung to those traditions in respect to the Tariff. The theory on which the Underwood Bill was framed was opposed to that of

the Payne-Aldrich Act, where there was a protection of profits, as well as duties to cover the difference in cost of production at home and abroad. The former sought to remove the protection of profits and establish freer competition in American industries. The Underwood Act was inconclusive as an experiment in Democratic Tariff legislation on account of the War. One noticeable result, however, was a shift in the main source of Federal income, from customs duty to internal revenue, due largely to the inclusion of the personal income tax. As an aid in tariff matters, Wilson set up a Tariff Commission in 1916, thus reversing a policy he had previously opposed. During the war, control over imports was placed in his hands by virtue of authority to issue licenses necessary to bring goods into the country.

In my opinion Wilson's post war tariff policy was far seeing. He resisted practically every attempt to levy additional duties to stave off a potential flood of European goods. It was necessary to create a market where Europe could trade profitably; "if we want to sell we must be prepared to buy" was his conviction. It is probable that his policy, had it been followed out, would have produced a more stabilized Europe of today.

Wilson contributed nothing new to American tariff legislation, in my opinion. Like Jackson in 1833 he lowered the duties of an excessively high tariff. Cleveland declared during his first administration that the "ruthless extortion of the people's money" in the tariff was the cause of the rising surplus. Wilson, while not faced with a rising surplus, was confronted with duties which protected profits. In tariff legislation he fought for freer competition in American industries. His policy was normally Democratic.

As the President in his tariff policy was opposed to recognizing "special interests," so in viewing the population as a whole his ideal was to recognize no distinct classes.[1] It is a matter of opinion how far his ideal was realized.

He early pointed out the unsatisfactory relations between capital and labor. His remedy—the humanizing of capital's attitude—he sought to bring about in the Clayton Act. But the

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[1] *New Dem.*, I, 16; II, 302–03.

Act did not, in reality, enlarge the rights of labor. It defined and confirmed existing rights. In the same manner the Statutes to promote the welfare of child labor and seamen were either repealed or suffered loss of strength through interpretation. During the War period he proceeded cautiously, perhaps too cautiously, with the establishment of a national labor policy. Since he held our principal contribution to the conflict to be sinews of war, not man power, a program was adopted which would call forth the largest results from labor. Labor prospered under the high wages of the war.

After the Armistice his efforts to allay the differences between capital and labor were apparently without definitive results. His remedy of "genuine democratization of industry" left capital in an uncertain frame of mind. The President's unwillingness to accept restriction of immigration after the war would probably have led to a labor reserve, as in 1913, had not Congress passed such restrictions over his objections.

Due to the war period Wilson was confronted with more strikes than any other Chief Executive in our history. He attempted to settle these by both peaceful and coercive methods. Apparently his settled policy was to interfere personally, as representative of the public, only after other conciliatory means had failed. Among the coercive methods used was the passage of the Adamson Act. It is not likely that this method will ever prove a dangerous one. In rare cases will a President find sufficient support in Congress to enable him to force through legislation which has not been demanded by the country as a whole.

Probably Wilson's greatest contribution to the Presidential office was his leadership. In his own estimation a leader must personify policies. Prior to September 1919, Congress had accepted his legislative policies. After he was stricken and Congress had become Republican, his leadership was unable to secure legislative sanction for many of his policies.

As the foregoing pages indicate, Wilson changed his position constantly but certainly not without cause. The popular conception of him as inflexible is wide of the mark. He entered office as a social individualist; he left it a social paternalist. A President

less devoted to duty and responsibility for the common weal might have changed less.

Throughout the changes, however, he was apparently aware of his direction, and desirous that the country understand and support his policies.

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